

Tourism, Equalities, Communities & Culture Committee

Date: **21 November 2019**

Time: **4.00pm**

Venue **Hove Town Hall, - Council Chamber**

Members: **Councillors:**Robins (Chair), Grimshaw (Deputy Chair), Rainey (Opposition Spokesperson), Nemeth (Group Spokesperson), Childs, Ebel, Evans, Mears, Powell and Simson

Invitees: Lola BanJoko (Brighton & Hove CCG), Anusree Biswas Sasidharan (Community Works), Joanna Martindale (Community Works) and Nick May (Sussex Police)

Contact: **John Peel**
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AGENDA

PROCEDURAL MATTERS

17 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
 - (a) Disclosable pecuniary interests;
 - (b) Any other interests required to be registered under the local code;
 - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public. A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.

18 MINUTES

7 - 28

To consider the minutes of the meeting held on 26 September 2019.

Contact Officer: John Peel

Tel: 01273 291058

19 CHAIRS COMMUNICATIONS

20 CALL OVER

- (a) Items 24 – 28 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

21 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public;
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 15 November 2019;
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 15 November 2019.

22 ITEMS REFERRED FROM COUNCIL

29 - 32

Item referred from the last meeting of Full Council held on 24 October 2019:

(a) Deputations

- (i) Pride PVP

23 MEMBER INVOLVEMENT

33 - 34

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions;
- (b) **Written Questions:** To consider any written questions;
 - (i) King Alfred tenants- Councillor Nemeth
 - (ii) King Alfred Project Board- Councillor Nemeth
- (c) **Letters:** To consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

24 PUBLIC SPACE PROTECTION ORDERS PARKS AND GREEN SPACES REVIEW

35 - 42

Report of the Interim Executive Director Housing, Neighbourhoods & Communities

Contact Officer: Jo Player

Tel: 01273 292488

Ward Affected: All Wards

- 25 WOMEN IN LOCAL GOVERNMENT 43 - 52**
- Report of the Executive Lead for Strategy, Governance & Law (Monitoring Officer)
- Contact Officer: Giles Rossington Tel: 01273 295514
Ward Affected: All Wards
- 26 MADEIRA TERRACE RESTORATION - UPDATE 53 - 60**
- Report of the Executive Director, Economy, Environment & Culture
- Contact Officer: Abigail Hone Tel: 01273 292163
Ward Affected: East Brighton; Queen's Park
- 27 OUTDOOR EVENTS – MADEIRA DRIVE ROAD CLOSURES 2020 61 - 66**
- Report of the Executive Director, Economy, Environment & Culture
- Contact Officer: Ian Shurrock Tel: 01273 292084
Ward Affected: All Wards
- 28 OUTDOOR EVENTS - PARKS AND OPEN SPACES 2020 67 - 110**
- Report of the Executive Director, Economy, Environment & Culture
- Contact Officer: Ian Shurrock Tel: 01273 292084
Ward Affected: All Wards
- 29 ITEMS REFERRED FOR FULL COUNCIL**
- To consider items to be submitted to the 19 December 2019 Council meeting for information.
- In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting*

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL
TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE

4.00pm 26 SEPTEMBER 2019

HOVE TOWN HALL, - COUNCIL CHAMBER

MINUTES

Present: Councillor Robins (Chair) Grimshaw (Deputy Chair), Rainey (Opposition Spokesperson), Nemeth (Group Spokesperson), Childs, Ebel, Evans, Mears, Powell and Simson

PART ONE

1 PROCEDURAL BUSINESS

1a Declarations of substitutes

1.1 There were none.

1b Declarations of interests

1.2 There were none.

1c Exclusion of the press and public

1.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

1.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

1d Use of mobile phones and tablets

1.5 The Chair requested Members ensure that their mobile phones were switched to 'silent mode'.

2 CHAIRS COMMUNICATIONS

2.1 The Chair provided the following updates:

Private View of the Royal Collection at Brighton Pavilion

- 2.2 The Chair had attended the Private View of the Royal Collection at Brighton Pavilion and had seen the very impressive collection of works of art that have been relocated back to their former home whilst the East Wing of Buckingham Palace underwent building works. The collection included over 120 objects that have not been on public display for over 170 years and the result was absolutely splendid.

Wildlife Photographer of the Year

- 2.3 The Wildlife Photographer of the Year exhibition was on show at Brighton Museum from May until early September. It was a very popular exhibition; visitor responses had been consistently positive, showing that they had been engaged and interested. 96% of visitors to the exhibition had rated it Excellent or Good, with 58% saying it was their main reason or one of their reasons for visiting Brighton Museum. Visitors loved the photos and had felt moved by the subject matter.

Preston Manor, Family Riddle Trail

- 2.4 At Preston Manor, the new family riddle trail had received a positive response from the local community. The trail introduced twins and their pet dog that grew up in the Manor in Victorian times and encouraged exploration of the house through rhymes, riddles, playthings and clues.

VisitBrighton

- 2.5 VisitBrighton had worked with over 527 City partners engaged in tourism and over the last 3 months had run a digital campaign to promote live music, entitled 'Brighton Calling' reaching. It could reach 1m+ people and had resulted in proposals being submitted for 32 conference enquiries, which had the potential to generate £17m of economic benefit.
- 2.6 Over the last period the Trades Union Congress and the Labour Party Conference 2019 had been delivered successfully delivered. Confirmed new meetings and events for the City included:
- 2.7 Praxis Auril Annual Conference – June 2020, British Association of Cognitive Neuroscience Conference – Sept 2020, Festival of Choirs – Sept 2020 Meeting Professionals International European Conference – Feb 2021, The Sociological Association Conference – Sept 2021.

- 2.8 **RESOLVED** – That the content of the Chair's Communications be noted and received.

3 CALL OVER

- 3.1 The Democratic Services Officer read out Items 4 to 15 on the agenda. It was noted that any items appearing under items 4 – 6 were automatically reserved. All other items appearing on the agenda were automatically reserved for discussion with the exception

of Item 7 - "Constitutional Matters – Tourism, Equalities, Communities and Culture Committee".

- 3.2 It was noted that as this Item was not called for discussion that it was therefore deemed that the Officer recommendations were agreed s set out in the report.

4 PUBLIC INVOLVEMENT

4a Petitions

- 4.1 There were none.

4b Written Questions

- 4.2 It was noted that two written questions had been received and these were considered in the order in which they had been received.

4b(i) (Pavilion Tea House), Hove Park Café

- 4.3 Mr Hall was invited forward to present his question (set out at page 7 of the circulated agenda) and below:

- 4.4 "The ombudsman has ruled that whilst no planning rules were broken concerning this application it was proven that the applicant's representatives collected objections and support at a public meeting for the application but did not upload any objections from the public despite committing in writing to doing so.

The residents of Brighton and Hove deserve better than this. The council need to put measures in place to ensure that this malpractice is never allowed to happen again. What is the council going to do to ensure that the shoddy actions of the applicants' representatives are not repeated in future?"

- 4.5 The Chair, Councillor Robins responded in the following terms:

"The outcome of the Ombudsman's investigation was that there was no fault, or malpractice, in the way the Council had considered this application. This includes in consultation and handling of comments received.

The Ombudsman commented that the Council could have made more enquiries of the agent when the submissions were made but was satisfied that the decision on the planning application was based upon the planning merits of the case not the level of support for the scheme.

It is national and local policy and good practice to encourage with local people on their development proposals which is what was undertaken in this case. I acknowledge your concerns that developers might not include objections alongside letters of support. In response the Planning Service is proposing the following:

- To add this point to the local consultation policy (Statement of Community Involvement) when it is reviewed; and
- To work with local planning agents to address this.

4.6 The Chair invited Mr Hall to put a supplementary question if he had one, but he did not.

4b(ii) DA6, City Plan Part One

4.7 Ms Paynter was invited forward to present her question (set out at page 7 of the addenda Mr Hall was invited forward to present his question (set out at page 7 of the addenda to the circulated agenda) and below:

“Does the Chair agree that, events having overtaken policy DA6 of the City Plan Part One and the Plan’s seafront policy and planning brief for the King Alfred and RNR sites, revision is now required to keep them relevant.”

4.8 The Chair, Councillor Robins responded in the following terms:

“Thank you for your question. No, I do not agree that events have overtaken these policies. The City Plan policies for Hove Station and the Seafront remain very relevant – the reason is that new development proposals will need to be assessed against statutory local plan policies.

The aim of Hove Station Development policy (DA6) is to secure the long-term regeneration of the Area for mixed development including business space and residential units. The “local priorities” sought in the policy include improved public realm, essential community services and better accessibility.

A Masterplan for the Hove Station area is also being prepared and this will provide more detailed guidance on issues like urban design, biodiversity and transport matters. The Seafront policy (SA1) sets out priorities for the length of the city’s seafront and covers matters such as better public realm, protecting coastal habitats and ensuring the er priorities remain very relevant for the future development of the site – it seeks to ensure that, as part of new development, sports facilities are replaced to serve the local Hove area. In terms of the King Alfred Planning Brief, this was prepared in 2002. Although it is dated be assured it is secondary to the local plan and still provides helpful guidance.”

4.9 The Chair invited Ms Paynter to put a supplementary question if she had one.

4.10 The Chair responded in the following terms:

4c(i) Deputations – Taking Action on Large-Scale Air BnBs (party houses) in Residential Areas

4.11 The Chair explained that as this deputation and the letter received from Councillor Wares covered the same matter, he intended to hear the deputation, then the letter and then to provide a joint response. Mr Elton was invited forward to put his deputation (this was set out at page 9 of the circulated agenda) and below:

4.12 “The residents of Patcham Village, Court Close wish to make a deputation request to Brighton and Hove Council to put in place, with immediate effect, effective rules and regulations to restrict the use of ‘entire house’ large scale AirBnB (party) houses within residential areas. In April 2019, a resident of Court Close turned their 3-4 bedroom dwelling into an 18-person entire house AirBnB rental with a hot-tub:

<https://bit.ly/2IYWPNN>

Court Close is located at the foot of the South Downs, and opposite the Conservation area. It is a privately owned Close, on the edge of Brighton. Residents are mostly older adults and young families. Residents consciously chose to live here due to the peace and quiet offered by its rural location, and the strong sense of community generated from the residents in the Close. However, the continual stream of problems from this AirBnB has significantly impacted this community of people; the problems include:

1. Anti-Social Behaviour – which regularly wakes-up residents, including children as young as 2 years old.
2. Rubbish – piled up next to the bins, which is then ripped open by foxes and seagulls and strewn over neighbouring properties and the Close.
3. Parking – guests arrive with an average of 6-8 cars; however, the property only has a driveway for 2 cars, possibly 3 cars at a push; the remaining cars are parked inconsiderately – blocking the road, driveways and restricting access for emergency vehicles if needed.
4. Unsettling - the types of people staying at the property are un-characteristic of local residents i.e. large groups of young people, who are engaging in activities uncharacteristic of local residents, i.e. drinking and partying late into the night.

Since May 2019, a total of x12 households have raised these issues with both the Council (Planning and Environmental Health) and the Police; however, there appears to be little action that can/is willing to be taken against these issues. The only reported issue, which is being actively investigated, is through Environmental Protection (Noise), but this has taken several months and is still on going.

The apparent lack of enforceable regulations creates a free-for-all system, which allows homeowners, particularly in residential areas, to transform their homes into large-scale commercial guest-houses. The blatant conversion of a residential dwelling into commercial premises, under the guise of Airbnb, seems void of any enforceable planning regulations, or charges. The safety of such properties, in terms of compliance with fire safety law, again appears unregulated and un-monitored; thus placing the guests, the property and neighbouring properties at risk. Overall, there appears a lack of parity in the current system, which has resulted in local residents having their valued communities significantly disrupted, houses devalued and put at risk, and their peace and wellbeing significantly impacted. We therefore formally request, with immediate effect, that enforceable regulations are put in place to protect local communities from this gross commercialisation of residential dwellings”

- 4.13 Councillor Wares was then invited to speak to his letter (set out at page 19 of the agenda) and below:

“I fully support the deputation request submitted by residents of Court Close and am sure there are many others in the City who would like greater controls introduced. The issue is not about the ad-hoc renting of homes per se. It is about the wholesale conversion of a family home to a full-time guesthouse that can accommodate large groups of individuals. In this case a four-bedroom home being used to sleep 18 guests.

In addition, we need a far greater joined-up approach by the council and other authorities to deal with these hugely disruptive changes of use. This is the second time I have experienced a situation whereby an issue at one property has had an enormous impact on everybody else in the vicinity. Last time we were told that in future, these sorts of community impact problems would be dealt with by field officers who would act as the single point of contact. It was also advised that Community Protection Notices could be used.

Regretfully we seem to have not learnt the lesson. Residents and I are having to work out who to speak to, do the chasing up and making sure everybody is talking with each other.

I would be grateful therefore if this Committee would investigate and act on the request in the deputation. Please could the council also provide residents with a single point of contact on the specific matter of Court Close who will, inter alia, check progress on enforcement and regularisation by the council and others and regularly communicate to residents.”

4.14 The Chair, Councillor Robins responded in the following terms:

“Thank you for your deputation and your letter Councillor Wares. This Council is aware of residents’ concerned and the issue of the growth in short term holiday lets including Airbnb. Particularly its potential impact on the amenity of residential areas and the loss of family homes. It is a matter that the council has been looking into as part of preparing the City Plan Part 2

“At the moment the ability of the local planning authority to regulate short term holiday accommodation is constrained as they are considered by the government as a residential (C3 Use Class) therefore planning permission is not needed. London authorities, through specific government legislation, are the only local authorities in England able to limit property owners letting out their homes on short term lets to under 90 days per year. The government are looking at options to broaden this through the Tourism All Party Parliamentary Group. In some circumstances a short-term holiday lets can be considered a change of use but this has to be tested on a case by case basis.

I can confirm there is an existing enforcement case for a property at Court Close. The case is on-going and information is being sought to establish whether a change of use has happened.

In terms of noise concerns, since May 2019 eight residents have contacted the Environmental Protection Team in relation to noise from an address in Court Close. This includes noise from music and noise from people using the hot tub and garden. The Council has a duty under legislation to investigate all noise complaints. Statutory noise nuisance can include noise from people, music and plant and machinery. It is not a defined decibel level, instead it is assessed having regard to the character, duration and frequency of the noise. One resident provided evidence, and this was assessed this week. A statutory noise nuisance has been established and a noise abatement notice will now be served on the owner. A breach of such a notice is a criminal offence.

East Sussex Fire and Rescue has been contacted in relation to the alleged use and also has an ongoing investigation into this property.”

- 4.15 The Chair added that additionally in response to these complaints discussions had been sought in order to work with Air BnB in order to address these problems and to put a system of registration into place. A letter had been received that morning from Maria Lorrimer of Air BnB requesting a meeting with council representatives in order to discuss how that could be put into operation. Although Ms Lorrimer had proved elusive when meetings had been sought in the past he would continue to pursue this matter.
- 4.16 Following further discussion it was agreed that a report would be brought forward to Committee as soon as it was expedient to do so looking at the city as a whole, Councillor Evans explained that she was aware of issues of concern in her own ward and was sure was sure that was the case elsewhere in the city too. The report would include details relating to the city as whole and, detail measures taken and updates on actions taken to date.
- 4.17 **RESOLVED** – That the position be noted.

5 ITEMS REFERRED FROM COUNCIL

Deputation Concerning the need for affordable housing is NO EXCUSE to devastate wildlife on the ‘urban fringe

- 5.1 It was noted that a Deputation had been referred direct from Full Council, set out at pages 13-16 of the circulated agenda. It was noted that as the Deputee has already presented the deputation at Full Council, they were invited to hear the response and decision of the Committee but did have the opportunity to speak to the deputation again. The Deputee was not present at the meeting and the Chair agreed that his response be included in the minutes. It is set out below preceded by the Deputation which has also been reproduced.
- 5.2 “The balance between nature and humans envisioned in city plan part 1 is not being adhered to in the list of housing allocations in city plan part 2 as it currently stands. Yes, the Conservative government says we must build but we can choose where is sensible for Brighton. There is no need to build on wildlife in order to make affordable homes, we can make affordable homes elsewhere on already concreted areas and converting empty buildings and brownfield sites, etc, and that is why it is completely unacceptable to build on the green ‘urban fringe.’ Moreover ‘mitigation measures’ very often do not work in practice, so do not think they make new buildings less damaging to wildlife! The decision by planning committee members on 10th July to approve seven storey blocks of 242 flats obliterating Coldean Wildlife, was not about whether or not to build affordable homes, but whether or not to needlessly devastate essential wildlife habitat and local green space and make money for Hyde. There are alternative, already concreted sites within the city’s boundaries where the Joint Venture Partnership could build instead, such as at Brighton General Hospital, where they could build 800 flats!

Please take steps to ensure Coldean wildlife to the east of Coldean Lane is not built on and /or revoke the planning decision to devastate precious wildlife and local green

space at Coldean. Moreover please see petition text in the supplementary pages of this deputation, signed by over 965 people (even though it was only started a short time ago) which asks the council to remove this Coldean site from the list of allocated sites in the Urban Fringe allocations in the City Plan Part 2, and instead designate it a Local Nature Reserve and Local Green Space (the land fulfils the criteria for the latter, as described in the National Planning Policy Framework 2019, page 29) as soon as possible, so it remains protected wildlife habitat, now and for future generations. The wonderful land at Coldean should never have been put on a list of allocated housing. This is part of a number of wildlife habitats and green spaces which have needlessly and wrongly ended up on the list of housing allocation sites on city plan part 2. City plan part 2 is now in the soundness stage where it can be changed with evidence. There is abundant evidence why wildlife habitat and green spaces should be removed from the list of housing allocations in city plan part 2 and instead the council can look again, more creatively and wilfully, at making affordable housing within the city's boundaries on already concreted areas, empty/derelict buildings and brownfield sites. We will be providing evidence. Please, Save Coldean Wildlife, and also save **all** the other wildlife and green spaces on the 'urban fringe' by removing them from the list of allocated housing, and instead think more creatively how to add to the list already concreted sites and empty buildings within the city's boundaries. Please see (in the supplementary pages of this deputation) the list so far (still in early stages, will be added to) of potential alternative sites where the council could build affordable housing *without* building on wildlife habitat and local green spaces. There are lots, which could easily cover more than enough of the affordable homes the council has been told it must build. Let's take off the green spaces and wildlife from City Plan Part 2 and instead make the needed affordable housing by focusing more, and more creatively, on the many potentially suitable sites within the city's boundaries. then the council can ask the government to re-approve it, so we would still have an approved city plan and could therefore, hold any developers to account for any proposed developments, and retain control.

We do NOT have to choose between wildlife and affordable housing! We must take care of both! The council thankfully listened to the local community who opposed the plan to build housing on Whitehawk Hill Nature Reserve; do the right thing for Coldean Wildlife too!

Supporting Information:

List of alternative potential sites to make affordable homes without devastating wildlife on the 'urban fringe':

- at Brighton General Hospital, space for 800 flats.
- 4000 empty homes in Brighton (<https://www.theargus.co.uk/news/16373633.more-than-4000-brighton-homes-are-empty-despite-housing-crisis/>)-the old Argus building by Asda in hollingbury; the old gas works in Kempton (although this may take time as the land may be contaminated) and next to that a site which the council are using as a dumping ground for old iron bits from Madeira drive and the sea front); -site to the west of Portland Street (near North Street, in Brighton centre); a site next to Preston Park, London road, on the left as you go out of Brighton, which has been empty for years, and Hyde housing years ago seemed to be going to do something with it but nothing has happened.
- Lots of empty homes on top of shops around Brighton;
- building up, i.e. many more houses on the same amount of land, so long as this will not put birds at risk of crashing into the buildings.

-there are areas of expansive and privileged housing in several areas of Brighton and Hove which are really spread, out with a lot of space, low number of inhabitants compared to the number of bedrooms, and lots of private garden space and lots of shared communal spaces between houses. The council could buy some of the private property in this area from those that are willing, intensify use of the space, and turn it into very many more council houses (there are precedents for this, e.g. <https://www.standard.co.uk/news/burchills-move-stirs-up-the-neighbours-217180970.html>),

Petition text

Petition to council: Please protect wildlife at Coldean!

We object to the approval of the planning application for buildings which would devastate wildlife at Coldean, and we wish to safeguard this essential wildlife habitat and local green space at Coldean, now and for future generations.

We the undersigned petition Brighton and Hove City Council to remove the Coldean site from the list of allocated sites in the Urban Fringe allocations in the City Plan Part 2, and instead designate it a Local Nature Reserve and Local Green Space (as described in the National Planning Policy Framework) as soon as possible, so it remains protected wildlife habitat, now and for future generations.

There are alternative large empty buildings around Brighton (e.g. at Brighton General Hospital) which the council could turn into affordable homes (800 in the case of Brighton General Hospital) therefore it's clear that to make affordable homes it is completely unnecessary to build on the green space and wildlife. The land was notified as a Local Wildlife Site in 2017 in recognition of its woodland and grassland habitats. The proposal would mean destroying woodland and felling trees to build a new entrance road which would split the strip of woodland that runs parallel to Coldean Lane in two, with devastating effects on the wildlife. It would also mean building on the field, obliterating lots of wildlife, their homes and foraging ground. The woodland and field include many plant species and are essential habitat for wildlife sandwiched between Varley Halls and very busy, fast roads, many of whom are legally and policy protected species, such as bats, hedgehogs, lizards, slow worms, badgers, foxes, rabbits, butterflies, lots of invertebrates who massively contribute to the environment, and many different birds, including owls, and others. Some of the birds breed and make nests in the trees and on the ground, and 3 (song thrush, tawny owl and dunnoek) are listed as having severe red and amber conservation status. The woodland is Priority Habitat Deciduous Woodland and provides critical habitat for wildlife. Splitting the woodland in two would cut vital connectivity and put the wildlife at very high, frequent risk of road traffic accidents.

Localised areas of the field (about 1 hectare of it) have an affinity with Calcareous Grassland, and there is 'good potential to create new areas of native species rich calcareous grassland where chalk substrates can be exposed and seeded' (Preliminary Ecological Appraisal, PJC, 2018). Lowland Calcareous Grassland is a Habitat of Principal Importance and classified as Priority Sussex Habitat. Within Sussex, this type of habitat is mostly found within the South Downs; it has reduced rapidly in recent years and is now only an estimated 3% of the South Downs. The Sussex Biodiversity Partnership aims to maintain and expand the range of Lowland Calcareous Grassland in Sussex. Moreover 'there is an area of lowland calcareous grassland immediately north of the site' and 'any development of this site would also likely result in adverse impacts on any areas of lowland calcareous grassland habitat adjacent to the site, e.g. through increased surface run-off and increased disturbance/trampling/littering from potential

increases in recreational use of the area' (PJC, 2018). So, the proposed development would destroy not only Priority Habitat Deciduous Woodland but also be likely to negatively impact the Lowland Calcareous Grassland (i.e. Habitat of Principal Importance and a Sussex Priority Habitat) on next door land.

Increased vehicle movement and parking on local roads would be expected, and traffic on Coldean Lane would get substantially more clogged up, polluting the air even more and putting human residents, especially school children, at risk. It is well documented that green space is vital for people's physical and mental health. The visual impact of the proposed buildings would be unpleasant as they would replace a green view of nature with high blocks of flats and concrete.

Today, wildlife in this very densely urbanised area of the U.K. are increasingly endangered by destruction of their habitats. Globally, land mammal mass is made up of 96% humans and the farmed animals (Attenborough, 2019), and insects and ecosystems who we rely on are massively threatened by climate change, so we must stand up for wildlife now or there will be none left. If we do not, soon it may be many human lives in the UK imperilled due to climate change and because we have not protected wildlife there will no longer be an ecosystem left that can support us. At present, the land provides precious sanctuary for wildlife - this is a space to cherish, protect and stand by."

5.3 The Chair's prepared response is set out below:

"The requirement to look at both the city's brownfield sites and parts of the city's brownfield sites and parts of the city's urban fringe for new housing was clearly established when the City Plan Part One was prepared and examined. The city's housing needs were assessed as 30,000 new homes by 2030 which means that brownfield sites on their own cannot fully meet the city's housing needs. Only if we were able to meet the entire city's housing needs from brownfield sites alone would we **not** look at some urban fringe sites for housing.

The situation is that even with some development on urban fringe sites, we are still only able to meet 44% of the city's housing need. The option of providing more than expected housing on some of the city's brownfield sites, such as Brighton General Hospital, will mean that we can meet more of the city's housing need but there will still remain a significant shortfall. This will not prevent the need for some development on part of the city's urban fringe.

The Part One Plan identifies potential for around 1,000 new homes on parts of the city's urban fringe but this amounts to just 7.5% of all urban fringe land and 92% remains protected. Sites that have been identified as having potential for some development have been carefully assessed taking into account impacts on landscape, open space, ecology and archaeology. Those assessments indicate that robust mitigation measures will be required on many sites to avoid harm but that development can also offer positive benefits alongside new housing including accessible well managed open space and ecology.

In terms of the recent planning application, the impacts of the residential development at Coldean on biodiversity were carefully considered. Relevant planning policies and

guidance, the comments of the County Ecologist and representations received following public consultation were all taken into account. A number of conditions will be attached to the planning permission to protect, mitigate and improve biodiversity on site.”

- 5.4 **RESOLVED** – That the content of the petition and response to it be received “and noted.

6 MEMBER INVOLVEMENT

6a Petitions

- 6.1 There were none.

6b(i) Madeira Terraces

- 6.2 It was noted that a question had been received from Councillor Fishleigh set out at Page 17 of the agenda and below. The Chair to invited Councillor Fishleigh to put her question:

“Since the now decommissioned TD&C Committee last met, how many grant applications have been submitted for the restoration of Madeira Terraces, how many organisations have been approached for corporate sponsorship - and how much new money has been raised?”

- 6.4 The Chair, Councillor Robins responded in the following terms:

“The TD&C Committee met on 20th June 2019, since then the team have been considering the merit of pursuing a bid with National Lottery Heritage Fund, such bids are resource hungry and more ground work is required before the council is ready to do so. The team have also had to be mindful of the bid made by the Royal Pavilion to the same funding body just recently. NLHF have strongly advised Madeira Terrace does not compete with the Royal Pavilion.

In relation to pursuing corporate sponsorship this requires careful consideration and resource of a dedicated fundraiser to clearly set out requirements and engage corporate sponsors effectively. Both previous bids to National Lottery Heritage Fund (NLHF) included a request of funding to provide Fundraiser resource capacity. A full report detailing the work involved is available if required.

Since 20 June 2019 £360 has been raised through sales of Save Madeira Terrace merchandise and a generous personal donation.

The first raffle money went into the crowdfunding pot. Money from the second and third raffle is with the community.”

- 6.5 Councillor Fishleigh was invited to put a supplementary question if she had one.

6b(ii) Black Rock

- 6.6 It was noted that a further question had been received from Councillor Fishleigh set out at Page 17 of the agenda and below. The Chair invited Councillor Fishleigh to put her question:

“Please would you update us on the situation with regards to a new conference centre at Black Rock; is the project still moving forward?”

- 6.7 The Chair, Councillor Robins responded in the following terms:

“The project is still moving forward. The works funded by the Local Enterprise Partnership for the Black Rock project approved in 2017 were set aside to help with preparing the site for future development by de-risking and decontaminating the site. The council now has a team of professional’s putting together a works package which will be submitted for planning at the end of October/early November. As it is not possible to confirm a timeline for final development of the site yet, the Black Rock Enabling project works will ensure that for the short to medium term there are measures to address disconnectedness, poor public realm, graffiti and lack of activity, so that the site can be better used and will be a more attractive space for events. At present the work package includes, provision for a new route for a future bus route which could serve the Marina and Madeira Drive and will take the route at the rear of the site beneath the access ramps. This is infrastructure at this stage and its likely won’t become operable until there is some future development of the site or the Marina. A newly accessible and properly lit temporary event space for the area that is currently boarded up, which will allow for future more frequent events. Improved public realm around the reading rooms to allow a clearer, and well-lit pedestrian route to and from the reading rooms directly to the main A259 seafront road with new pedestrian landing area and way finding.

Consultation has yet to start on the full proposals which are in the process of being fully costed and also need to be presented to the Local Enterprise Partnership in mid-October before wider consultation can begin.

All of the above, will allow for the site to be revitalised in the short term if development is not forthcoming immediately on the Black Rock site. The works will also ensure that once a plan for development is finally agreed in 2 to 3 years’ time, there are fewer contractor risks in the ground to delay the programme or increase the costs.”

- 6.8 Councillor Fishleigh was invited to put a supplementary question if she had one.

6c Letters

Large - Scale Air Bnbs

- 6.9 It was noted that the contents of the letter received from Councillor Wares had been considered and dealt with under Item 5 (c)

- 6.10 **RESOLVED** – that the position be noted.

6d Notices of Motion

6.11 There were none.

7 CONSTITUTIONAL MATTERS- TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE

7.1 The Committee considered a report of the Monitoring Officer *which set out the* Committee's "Terms of Reference" and related matters including the appointment of its Urgency Sub Committee.

7.2 **RESOLVED** – (1) That the committee's terms of reference, as set out in Appendix 1 to this report, be noted.

(2) That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved;

(3) That the Committee agrees that one representative each from Sussex Police and the Clinical Commissioning Group and two representatives from Community Works in the areas of equalities and neighbourhoods are invited to attend all meetings in an advisory capacity; and

(4) That the Committee agrees to invite further specialist community representatives to attend meetings on an issue by issue, ad-hoc basis.

8 INCLUSIVE CITIES PROJECT

8.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities and Housing detailing the Inclusive Cities project which Brighton & Hove had been invited to join and the commitments expected of the local authority if it was to become part of this project. The report went on to describe the benefits of Brighton & Hove joining this project and the ways in which it would enhance the city's work on diversity, inclusion, equalities and Brighton and Hove's status as a City of Sanctuary.

8.2 It was noted that additions/amendments (set out in bold italic text), had been put by the Green Group, proposed by Councillor Rainey and seconded by Councillor Ebel. These had been circulated prior to the meeting and are set out below:

"2.1 That the Committee agree to Brighton & Hove City Council joining eleven other UK local authorities as part of the Inclusive Cities project which runs from now until June2022;

2.2 That the Committee agree that the elected member representative to work on this project will be Councillor Grimshaw, lead member for equalities, alongside the operational lead within the Communities, Equality and Third Sector Team;

2.3 That the committee note that the task force to lead this piece of work – as required for participation in the project (see paragraph 3.3) will form a sub-group of and report into the city's Equality and Inclusion Partnership;

2.4 That the Committee agree that the elected member representative and the operational lead within the Communities, Equality and Third Sector Team report back to the TECC Committee once a year until June 2022 to inform the Committee about progress made and to receive feedback and input; and

2.5 That the Committee agree that due attention is paid to intersectionality (i.e. double-discrimination) by the task force and that the task force aims to achieve a representation as wide and as diverse as possible during the duration of the Inclusive Cities project.”

- 8.3 Councillors Ebel and Rainey spoke in support of their proposed additions/amendments explaining that whilst fully supportive of the report and its recommendations they considered it vital that measures were put into place to ensure that the outcomes of this very this important piece of work were reported appropriately across the council.
- 8.4 Councillor Simson stated that welcoming the work that had been done and supportive of the recommendations set out in the report she had some concerns that there could be financial implications arising from this work notwithstanding that it was asserted that there would not be.
- 8.5 Councillor Mears echoed those concerns considering that it was important for financing to be in place for the duration of a project, that was not always the case. It was also important for work to be carried forward proactively in co-operation with the home office.
- 8.6 Dr Sasidharan supported both the report and the proposed amendments commending the work which had been done to date.
- 8.7 Councillor Powell welcomed the work which had been done to address hate crime it was commendable that Brighton was an open city that welcomed all without prejudice.
- 8.8 The Green Group amendments were voted on and accepted and then became the substantive recommendations, were voted on and were agreed unanimously.
- 8.9 **RESOLVED – 1:** That the Committee agree to Brighton & Hove City Council joining eleven other UK local authorities as part of the Inclusive Cities project which will run from now until June 2022;

(2) That the Committee agree that the elected member representative to work on this project will be Councillor Grimshaw, lead member for equalities, alongside the operational lead within the Communities, Equality and Third Sector Team;

(3) That the committee note that the task force to lead this piece of work – as required for participation in the project (paragraph 3.3 of the report) will form a sub-group of and report into the city’s Equality and Inclusion Partnership;

(4) That the Committee agree that the elected member representative and the operational lead within the Communities, Equality and Third Sector Team report back to the Tourism, Equalities, communities and Culture Committee once a year until June

2022 to inform the Committee about progress made and to receive feedback and input; and

(5) That the Committee agree that due attention is paid to intersectionality (i.e., double-discrimination) by the task force and that the task force aims to achieve a representation as wide and as diverse as possible during the duration of the Inclusive Cities Project.

9 RPM TRUST - UPDATE

- 9.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture providing an update on the progress made to date and setting the governance arrangements proposed going forward.
- 9.2 It was explained that the decision had been taken by the then Policy Resources and Growth Committee that the Royal Pavilion and Museums service should transfer to a standalone trust with the sole purpose of delivering the council's museums services. This report was intended to update the Committee on the work of the Joint Project Board following the report to TDC Committee in June 2019, when it had been agreed in principle that the service should be transferred to the existing fundraising charity the Royal Pavilion and Museums Foundation. The Foundation has recently been renamed the Royal Pavilion and Museums Trust (the RPM Trust). The governance proposals and the council's role following the transfer were outlined. It was noted that a more detailed report would be provided to the Policy and Resources Committee (P&R) and that P&R would be asked to support a number of recommendations in that respect.
- 9.3 Councillor Grimshaw commended the work that had been undertaken to date which had included measures to seek to reassure staff at what was a worrying time for them. In answer to questions, the Head of the Royal Pavilion and Museums explained that meetings had taken place with the unions in order to discuss what was achievable. An HR business partner would be appointed and would be line-managed by the Council.
- 9.4 Councillor Rainey sought clarification regarding whether approval was required by the Secretary of State. She understood that the process needed to be carried out in the best way possible and wanted information in order to understand the mechanics of that. It was explained that although approval at that level was not required for sums under £2m it was necessary to evidence that the appropriate processes had been undertaken.
- 9.5 Councillor Mears stated that she supported the approach which had been adopted which in her view represented the best use of resources.
- 9.6 **RESOLVED** - That the Committee notes progress made to date and the governance proposals as outlined at paragraph 3.13 of the report.

10 RE-ESTABLISHMENT OF THE PLANNING POLICY CROSS PARTY WORKING GROUP

- 10.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture, the purpose of which was to seek agreement for the Cross-Party Working Group for Planning Policy to be re-established to continue to assist with advising on

future planning policy documents and guidance. The updated terms of reference were set out in Appendix 1 to the report.

- 10.2 Councillor Nemeth stated that he fully supported the report but had identified some typographical which required amendment. It was agreed that these would be taken on board and the report and appendices amended accordingly.
- 10.3 **RESOLVED** - That the Committee agrees that a Cross-Party Working Group for Planning Policy is set up in accordance with the terms of reference set out in Appendix 1 to the report.

11 ADOPTION OF THE SHOREHAM HARBOUR JOINT AREA ACTION PLAN

- 11.1 The Committee considered a report of the Executive Director, Economy Environment and Culture the purpose of which was to inform the Tourism, Equality, Communities & Culture Committee (TECC), Policy, Resources & Growth Committee and Council of the outcome of the Public Examination of the Shoreham Harbour Joint Area Action Plan (JAAP), and sought approval for the formal adoption of the Plan by Council.
- 11.2 It was explained that the JAAP provided a 15 year plan for the comprehensive regeneration of Shoreham Harbour and focussed on four key development areas: Aldrington Basin, South Portslade (in Brighton & Hove), and Southwick Waterfront and Western Harbour Arm (in Adur/West Sussex). Overall these areas were expected to deliver 1,400 new homes, 23,500sqm of new employment space, a consolidated port, improved flood defences, transport infrastructure, public spaces and community and leisure facilities. It has been prepared by the Shoreham Harbour Regeneration Partnership, which comprises Brighton & Hove City Council, Adur District Council, West Sussex County Council and the Shoreham Port Authority. If adopted by Council, Adur District Council and West Sussex County Council, would become part of the city's statutory development plan and would be used to determine planning applications within the Plan area.
- 11.3 Councillor Ebel asked whether the JAAP's requirements to avoid unnecessary damage to biodiversity and habitats "where possible" was needlessly ambiguous. It was explained that the authorities had worked closely with environmental bodies such as the Environment Agency and Sussex Wildlife Trust to seek to ensure that the highest possible standards were achieved and were assured for the future. It was recognised that on rare occasions the JAAP's development proposals would cause unavoidable negative impacts on habitats and when that would be the case the planning case officer would take a view and the application would need to be determined by the relevant planning authority(s).
- 11.4 Councillor Mears welcomed the report stating that she was aware that a lot of work had gone into preparing the JAAP over time commending the work by officers which had brought it to this stage.
- 11.5 Councillor Nemeth referred to the concerns expressed by residents of his ward who had sought to impose restrictions on building heights, this had not been achieved, but aside from his concerns about that he was pleased with the form the JAAP had taken and that

the Shoreham Port Authority had been a willing partner in the discussions which had taken place. Councillor Nemeth also referred to proposed works to the former gasworks site the enquiring regarding any assessments which had been made regarding seepage of gas from the site, potential pollution etc., it was confirmed that this had been evaluated and that data in respect of this was available.

- 11.6 Councillor Powell also commended the report but sought confirmation that stringent measures would be in place to protect wildlife and ecology as far as it was practicable to do so and how. Reference had made to newts, common lizards and slow worms. It was explained that new habitats would be required to be created in order to offset any loss and clear monitoring indicators formed part of the Plan. An annual monitoring report would be provided which would report how the Plan's policies were being applied, including ecological assessments.
- 11.7 The Committee then moved to the vote.
- 11.8 **RESOLVED BY TOURISM, EQUALITY, COMMUNITIES & CULTURE COMMITTEE:**

RESOLVED – (1) That Committee notes the responses received to the consultation on the main modifications to the Shoreham Harbour Joint Area Action Plan (JAAP) and the contents of the Inspector's Report and her conclusion that the JAAP is legally compliant and 'sound':

RESOLVED TO RECOMMEND TO THE POLICY AND RESOURCES COMMITTEE :

(2) That the Tourism, Equalities, Communities and Culture Committee recommends to Policy & Resources Committee that the JAAP be adopted, incorporating the main modifications and minor modifications, as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;

(3) Recommends to Policy & Resources Committee that the currently adopted west area Policies Map be revised to additionally display policies contained within the JAAP; and

(4) Recommends to Policy & Resources Committee that the Development Brief for South Portslade Industrial Estate & Aldrington Basin be revoked.

THAT THE POLICY AND RESOURCES COMMITTEE RESOLVES TO RECOMMEND TO COUNCIL :

(5) Notes the responses received to the consultation on the main modifications to the Shoreham Harbour Joint Area Action Plan (JAAP) and the contents of the Inspector's Report and her conclusion that the JAAP is legally compliant and 'sound';

(6) Adopts the JAAP, incorporating the main modifications and minor modifications, as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;

(7) Revises the currently adopted west area Policies Map to additionally display policies contained within the JAAP; and

(8) Revokes the Development Brief for South Portslade Industrial Estate & Aldrington Basin.

12 UPDATE ON COMMUNITY INFRASTRUCTURE LEVY

- 12.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture the purpose of which was to update Committee Members on the progress being made to bring forward a Community Infrastructure Levy (CIL) Charging Schedule for Brighton & Hove. The report outlined the progress made since the formal submission of the Council's Draft Charging Schedule in January 2019 and the key areas of work required to set up and implement CIL for commencement in 2020.
- 12.2 The Planning Manager, Planning Policy, explained that CIL governance described the way in which CIL income was to be managed and spent. CIL would not generate enough funds to completely cover the cost of new infrastructure needed to fully support planned development in the city. As such, there would be competing demands for this funding. It is therefore important to ensure that there are robust, accountable and democratic structures in place to ensure the spending of CIL funds are prioritised in the right way. It was suggested that a CIL Infrastructure/Management Board (or similar) would need to be set up to manage the process for making decisions on how CIL income is spent across the city both in terms of the 'neighbourhood portion' and the 'strategic pot'. In outline, this is likely to require an annual prioritisation and assessment process to be set up and agreed.
- 12.3 Ms Martindale sought clarification regarding the practicalities of how communities could access 15% of CIL receipts received (per planning application) where development took place where there is no made Neighbourhood Plan and 25% where there is a made Neighbourhood Plan). It was noted that it would be for the Council to liaise with local groups/forums to decide how this neighbourhood portion is to be spent. It was also noted that only where there was a Parish Council did council actually transfer CIL monies. As this was a new process it was important that relevant interest groups within local communities were aware of this and the means by which they could access these funds.
- 12.4 Councillor Nemeth stated that he had concerns regarding the practicalities of this approach, considering the existing 106 arrangements were preferable. He considered that monies might not end up being spent in the immediate vicinity could result in additional costs for the developer. He did not therefore feel able to support these recommendations.
- 12.5 Councillor Mears concurred, considering that the input of Local Ward Councillors who had detailed local knowledge both of the needs of their ward and the views and requirements of local residents needed to be integral to any process.
- 12.6 Councillor Simson stated that she had grave concerns that developers could be deterred by this process, she considered that more detail was required and considered that in the absence of that detail she could not support the recommendations.

- 12.7 Councillor Childs stated that he considered it was important to research what happened in other cities, for boundaries to be put into place and to assess the impact that neighbouring CIL's could have on the city. It was explained that it was envisaged that further reports would be brought back to Committee giving more fine detail as to how the CIL would operate.
- 12.8 A vote was taken and on a vote of 7 to 3 the recommendations set out in the report were agreed.
- 12.9 **RESOLVED** – (1) That the Committee notes the progress made towards adopting a CIL Charging Schedule; that the CIL Examiner's report is anticipated by the end of 2019 and that adoption by Full Council is required to commence CIL next year;
- (2) That the Committee notes and endorses the programme of work required for CIL implementation; noting that some work streams (IT, Recruitment and Governance) are required to commence ahead of formal Council adoption to ensure that the operational requirements for CIL implementation in Spring 2020 can be delivered; and
- (3) That the committee notes that Policy & Resources Committee approval of one-off resources of £0.158m, via the Targeted Budget Management reporting process, will be required to enable implementation of the scheme.

13 SECTION 106 PLANNING OBLIGATIONS - 2018/19 FINANCIAL REPORT

- 13.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture which provided information on the type and value of financial contributions made under Section 106 of the Town and Country Planning Act 1990 in 2018/19. These were payments secured through planning agreements or undertakings ("planning obligations") as part of the planning application process that are determined by Planning Committee. The report provided updates on the type and value of contributions secured, received and spent in 2018/19.
- 13.2 The Principal Planning Officer went on to explain that Planning obligations, commonly known as Developer Contributions or Section 106 Agreements, are legally binding agreements or undertakings between the Council as Local Planning Authority and landowners/developers. These were secured during the consideration of planning applications to mitigate the impact of development and to meet planning policy objectives that enabled the granting of planning permission. To date, planning obligations had been used to secure affordable housing, local employment training opportunities and the provision or improvement of certain types of local and community infrastructure, e.g. open space, sustainable transport and schools. (NB: With the introduction of Community Infrastructure Levy (CIL) next year the range and scope of S106 Contributions would be scaled back.
- 13.3 Councillor Rainey stated that the CIL which would largely replace the existing arrangements appeared to be very complicated. Whilst acknowledging that there was a separate report elsewhere on that days' agenda it would be helpful for Members if the committee could receive a further update report on this transition in due course.

- 13.4 Councillor Nemeth enquired how long it took to secure s106 monies. He noted that there were several big schemes, Preston Barracks, the Astoria where significant sums of money had been agreed but had yet to be spent and some instances where the sum agreed had been returned as it had not been possible to complete the works for which that sum had been allocated. The length of time involved in some instances was cause for concern. It was explained that on average the process took 3 months but that varied dependant on the specifics of an individual scheme. Whilst regrettable, it was an exception for monies to be returned and this was avoided unless it was unavoidable. Compliance was sought and any breaches of conditions/s106 requirements were taken seriously.
- 13.5 Councillor Evans sought clarification regarding the definition as and what constituted affordable housing and how those sums were allocated across the city.
- 13.6 Councillor Simson referred to the fact that large sums were being held in respect of the Preston Barracks and Astoria sites currently and sought confirmation that there was confidence that those sums would be spent and how they would be allocated .
- 13.7 **RESOLVED** – (1) That the Committee notes the progress made towards adopting a CIL Charging Schedule; that the CIL Examiner’s report is anticipated by the end of 2019 and that adoption by Full Council is required to commence CIL in 2020;
- (2) That the Committee notes and endorses the programme of work required for CIL implementation; noting that some work streams (IT, Recruitment and Governance) are required to commence ahead of formal Council adoption to ensure that the operational requirements for CIL implementation in Spring 2020 can be delivered; and
- (3) That the Committee notes that Policy & Resources Committee approval of one-off resources of £0.158m, via the Targeted Budget Management reporting process, will be required to enable implementation of the scheme.

14 SUSTAINABLE DRAINAGE SYSTEMS SUPPLEMENTARY PLANNING DOCUMENT (SUDS-SPD)

- 14.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture seeking the adoption of the Sustainable Drainage (SuDs) Supplementary Planning Document which also set out the results of consultation undertaken on the draft SPD and changes made in response to comments received.
- 14.2 It was noted that once adopted, the SPD would assist in the delivery of the development plan and the provision of sustainable drainage associated with new development. The city council, as both Local Planning Authority (LPA) and Lead Local Flood Authority (LLFA) had a duty to consider the flood risk implications and drainage provision associated with applications for new development. This would include the provision of Sustainable Drainage Systems (SuDS) and the SuDS maintenance strategy. The council’s adopted City Plan Part 1 set out the overarching planning policy framework regarding flood risk (Policy CP11). Whilst the draft City Plan Part 2 set out a proposed suite of detailed development management policies including a draft policy on Sustainable Drainage (Policy DM43) which advises that the council will produce new

guidance on Sustainable Drainage. This guidance will assist developers and applicants in making the right decisions in the provision of sustainable drainage.

- 14.3 It was noted that additions/amendments (set out in bold italic text), had been put by the Green Group, proposed by Councillor Rainey and seconded by Councillor Ebel. These had been circulated prior to the meeting and are set out below:

“2.1 That the Committee notes the consultation undertaken on the draft SPD (Appendix 1) and endorses the changes made to the document;

2.2 That the Committee adopts the Sustainable Drainage Supplementary Planning Document as part of the city’s suite of planning documents subject to any minor grammatical and non-material text and illustrative alterations agreed by the Head of Planning prior to publication; and

That the Committee agree that consideration of the wider landscape and delivery of wider benefits, which is covered by item 3.5 in Appendix 1 (p15) should be made a priority, and that models of doing this creatively and innovatively are explored.”

- 14.4 Councillors Ebel and Rainey spoke in support of their proposed additions/amendments explaining that whilst fully supportive of the report and its recommendations they considered it vital that measures were put into place to ensure that the areas of work identified in paragraph 3.5 of the report were dealt with as a matter priority.
- 14.5 Councillor Mears welcomed the approach being advocated which would be useful tool in that they could take account of local planning knowledge.
- 14.6 The proposed Green Group amendments were then voted on and were accepted. They were then formally voted on as the substantive recommendations of the report were agreed and are set out below.
- 14.7 **RESOLVED** - (1) That the Committee notes the consultation undertaken on the draft SPD (Appendix 1 to the report) and endorses the changes made to the document;
- (2) That the Committee adopts the Sustainable Drainage Document as part of the city’s suite of Planning documents subject to any minor grammatical and non-material text and illustrative alterations agreed by the Head of Planning prior to publication; and
- (3) That the Committee agree that consideration of the wider landscape and delivery of wider benefits, which is covered by item 3.5 in appendix 1 to the report should be made a priority, and that models of doing this creatively and innovatively are explored.

15 MAJOR PROJECTS UPDATE

- 15.1 The Committee considered the schedule submitted by the Executive Director, Economy, Environment and Culture on providing an update on progress in respect of major projects. It was noted that a number of areas/projects detailed in the schedule no longer sat within the remit of this committee and that there was a need to avoid unnecessary duplication of information. Members indicated that they considered information

contained in the schedule to be relevant/valuable and it was agreed that means of disseminating that information appropriately would be explored covered.

Brighton Waterfront

- 15.2 Councillor Mears stated that “Blackrock” did not appear to have been included in these discussions. It was important that Ward Councillors in all of the wards impacted by future development were included and were kept informed.
- 15.3 Councillor Nemeth noted that the Waterfront and King Alfred Leisure Centre fell within the remit of the Policy and Resources Committee. He hoped however that this Committee could be kept informed of progress in those areas.

Circus Street

- 15.4 Councillor Evans stated that she had received expressions of concern from residents of her ward regarding the manner in which the demolition works at Milner Flats and in the surrounding area had been dealt with by the developer. Over 4,000 local residents had objected, and their concerns had been disregarding and they had not been consulted or kept informed. The local MP had been lobbied and a meeting involving senior officers was to be arranged to address these matters. The Executive Director, confirmed that both himself and the Executive Director, Neighbourhoods, Communities and Housing had been actively involved in discussions to address the issues raised. Permission had been given for “student” accommodation in the city and it was hoped that this would relieve some of the pressure on accommodation and residential areas elsewhere.
- 15.4 **RESOLVED** – That the position be noted.

16 ITEMS REFERRED FOR FULL COUNCIL

- 16.1 There were none.

The meeting concluded at 7.20pm

Signed

Chair

Dated this

day of

**(1) Deputation concerning PRIDE PVP
Spokesperson Trevor Scoble**

On the 19th April 2018 The Kingscliffe Society made a deputation to B&HCC about Health & Safety concerns over the Pride PVP annual event. We were directed to the Tourism Development & Culture Committee and thence to Safer Communities who were to produce a Review in the form of a questionnaire as a public condition. They issued their questionnaire on the day before they surveyed/walked the St James's PVP Area with us (TKS) together with the St James's LAT group. Therefore, none of our issues pointed out during the survey could be included in the B&HCC questionnaire. The results from the questionnaire formed more a Popularity Poll than the Review as promised (which was to cover all residents & business concerns) but were presented as a factual outcome dealing full with all the issues raised.

We have, therefore, continued to pursue our H&S concerns and requirements at Council meetings and by emails, but all to no avail.

In the Agreement the B&HCC made with the Pride organisation in 2014 various clauses were included to improve the management of this event, specifically;

- 3.15 *with the explicit intentions of creating a safer and welcoming event.*
- 3.16 *PVP format aimed at creating an event that achieves a better outcome/or attendees, businesses and local residents (our underlines)*
- 3.19 *Evaluation of the PVP by the Safety Advisory Group (including the councils emergency services) with regard to the event's objectives of delivering a safer and high-quality event was largely very positive. The evaluation process with local businesses and communities is ongoing at the time of report writing and any further information will be provided at meetings.*

We dispute whether these objectives have ever been fully achieved.

In regard to 3.15. As the PVP does not commence until 6 PM, many attendees arrive for the event already intoxicated or drug affected from the 'Party in the Park' where they have been indulging all afternoon.

In regard to 3.16. As the PVP has an overwhelming emphasis on over-loud music (up to 120 DPC inside homes) and the on-street alcohol consumption promoted by the demands of St James's abundant licensed premises. The wishes of residents & unlicensed traders are therefore given very low priority.

In regard to 3.19 During the last 2 years in St James St. Pride has estimated an attendance@ between 35,000 & 42,000 revellers in its narrow adjacent side streets, filled to overflowing with somewhat intoxicated revellers contained behind un-climbable barriers. With no public address system, emergency lighting, and escape signage and no pre-issued escape plan for residents or revellers to follow. The 2-meter-high non-climb barricades are erected from midday on the Friday until late night on the Sunday and for the last 2 years of PVP event and no pre or post PVP meetings have been organized so no relevant information is exchanged and acted upon.

It is recognised that the PVP is raising funds, one aspect of which is a social fund to reduce the effect it has on the wider community, but it is raised by imposing unreasonable distress and conditions on many local residents and non-licensed traders who are bearing the brunt of the true cost.

Any emergency is a tragedy waiting to happen.

With respect, we would ask the Council to withdraw the Pride PVP agreement and employ a Company that will comply with the Council's Requirements & those of Health and Safety.

Which residents' concerns could reasonably be expected to be covered by a Review?

1. Concern, above all else, with the distress/displacement caused to residents (LGBT & Non-LGBT alike).
2. That there would be a continuity of officer/s contact with affected residents and groups.

Larissa Reed & Jo Player (the dedicated officers) seemed to take turns with what few contacts there were.

3. Prior to the Pride weekend residents would be issued with instructions/maps on how to safely exit the area in the event of an emergency.
4. On the Saturday morning of the Party officers would check with stewards, manning any unclimbable barriers, their instructions in the event of an emergency or sudden crush of revellers inside the area.
5. On the night of the Party (Saturday) once it was in full swing (say 10 pm) officers would be appointed to:
6. Check on sound levels in the noisiest streets containing Pubs or outside sound systems (decibel levels)
7. In these noisiest streets they would knock on doors to establish:
 - A. If residents were enduring the noise and B. The sound levels reached inside these private homes.
8. It would seek to establish how frequently homes appeared to be vacated in high noise areas.
9. Check whether public toilets were overflowing and whether/where there was evidence of street urination.
10. On the 2nd day of the Party at say 5 pm before the next round of loud music at 6 pm, check on homes that were non-responders on the 1st night to check whether residents had returned.
11. Establish any expenses returning residents had been put to in order to provide a safe place of refuge.
12. Repeat the checks on temporary toilets and street urination.

There was only one pre-Pride public meeting (in May 2018) which was poorly advertised and therefore poorly attended by members of the public. It was attended by Larissa Reed and raised many issues, including severely affected residents being paid expenses to leave the area for the duration of the Pride Weekend.

The next contact with the council was in October nearly 2 months after the Pride weekend in a meeting held by Jo Player. It was to present the contents of her/the Councils questionnaire into the PVP. Jo Player established that she did not attend

Pride and Larissa Reed had also been away on holiday. The number and names of Council officers who had attended was not known at that time.

The Kingscliffe Society, and as far as we know, no other groups were invited to any internal meetings with the Council about the PVP.

WRITTEN QUESTIONS FROM MEMBERS

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following written questions have been received from Members:

(i) King Alfred tenants - Councillor Nemeth

“When were the King Alfred Leisure Centre’s tenants and principle user groups last formally informed about plans for the facility’s redevelopment and exactly which tenants and groups did the communication include?”

(ii) King Alfred Project Board - Councillor Nemeth

“What representations will the Chair be making to the King Alfred Leisure Centre Project Board in his capacity as head of sports for the city?”

Subject:	Parks and Open Spaces Public Spaces Protection Order		
Date of Meeting:	21st November 2019		
Report of:	Interim Executive Director Housing Neighbourhoods and Communities		
Contact Officer:	Name:	Jo Player	Tel: 01273 292488
	Email:	jo.player@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to consider the effectiveness of the Parks and Open Spaces Public Spaces Protection Order (PSPO) that was implemented in April 2017 under section 59 of the Anti-social Behaviour Crime and Policing Act 2014.
- 1.2 The report considers the effectiveness and continued use of the Parks and Open Spaces PSPO which is in place until 31st December 2019.

2. RECOMMENDATIONS:

- 2.1 That the committee notes that the current orders lapse on 31st December 2019 and directs officers to undertake an in depth analysis of whether the Parks and Open Spaces PSPO need to be re- introduced in the current form or altered to include further/less areas and prohibitions in the future. As part of that review officers should also explore the use of alternative legal tools.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 PSPOs are intended to be used to deal with a particular nuisance or problem in an area that is detrimental to the local community's quality of life by imposing conditions on the use of that area that apply to everyone. They are designed to ensure people can use and enjoy public spaces safe from anti-social behaviour (ASB).
- 3.2 Analysis was undertaken of ASB in parks and open spaces where people were reporting that areas were blighted by anti-social behaviour and consultation as required by the legislation, took place with people using those areas including residents, park users and those that might be impacted upon by the suggested prohibitions. This resulted in the Parks and Open Spaces PSPO being drawn up and agreed by Policy, Resources and Growth Committee in July 2016. The order came into effect in January 2017 and was implemented in April 2017.
- 3.3 The current order covers the following areas where there was substantial evidence of ASB:

- Greenway (New England Quarter)
- Hollingbury Park
- Lawn Memorial Cemetery and adjacent land (Woodingdean)
- Preston Park
- Rottingdean Recreation Ground
- The seafront including the A259 from Black Rock to Hove Lagoon
- Sheepcote Valley and East Brighton Park
- St Helens Green
- Stanmer Park
- Surrenden Field
- Waterhall
- Wild Park

3.4 The PSPO includes the following prohibitions and positive requirements:

Prohibitions:

- Occupying any vehicle, caravan, tent or other structure
- Driving any vehicle on grass
- Littering or fly tipping
- Lighting or maintaining a fire
- Defecating or urinating

Positive requirements:

- Removing any vehicle, caravan, tent or other structure within 12 hours
- Disposing of items as directed
- Permitting a council, police or fire officer to extinguish a fire
- Providing name, address and date of birth when required to do so by a council or police officer

3.5 Breaching a PSPO is a criminal offence. A fixed penalty notice (£75) can be issued or a summons can be served. 5 fixed penalty notices have been issued in Brighton and Hove to date. Three in 2018, to one ethnic traveller and two to van dwellers. Two further fixed penalty notices were issued to van dwellers in 2019. Many verbal warnings have been given and warning letters have been issued. 307 in 2017, 237 in 2018 and 148 in 2019, since the introduction of the orders in April 2017. These have largely led to compliance with the order. No offenders have been summoned to court.

3.6 People staying in these locations at the time the order was implemented include Gypsies and Travellers who tend to use large caravans and towing vehicles, new travellers who use a variety of older large vehicles including caravans, people who sleep in tents rather than rough sleep in the open and in some instances people camping whilst visiting Brighton. In relation to the tent encampments, these include a broad range of people often with vulnerabilities.

3.7 The implementation of the order was delayed until April 2017 when the council had opened a transit site for Gypsies and Travellers to enable officers to encourage Gypsies and Travellers to move to that site from locations where they had set up in the city.

- 3.8 During 2017 the city saw an increasing number of people occupying tents rather than sleeping rough. In the majority of instances joint working between commissioned rough sleeping services, the council and the police enabled these people to receive support and/or to move on from areas where ASB was being reported and, where possible in to accommodation or to be reconnected with support in areas outside of the city in instances where they have no local connection. Good joint working has been key to this work.
- 3.9 There were concerns that there would be displacement created by the PSPO. The table below shows unauthorised encampments that were recorded by the council outside of the PSPO areas between April and September in 2016 and for each year since the order has been in place. These encampments were managed using existing alternative powers available to the council and police.

Non PSPO encampments

Location	Encampments April to Sept 2016	Encampments 2017	Encampments 2018	Encampments 2019
Patcham Place	4	4	0	0
Coldean Woods	1	1	4	3
Victoria Rec Portslade	1	1	0	0
39 Acres	5	5	0	0
Racehill Allotments	3	3	4	3
Lynchett Close Car Park	1	4	2	0
St Gabriel's Lane	0	1	0	0
Devil's Dyke	2	2	1	1
Golf Drive	0	1	0	0
Monument View	0	0	1	2
Home Farm Road	0	1	0	0
Carden School	0	1	0	0

- 3.10 In relation to the PSPO sites and unauthorised encampments, officers have carried out welfare checks and pointed out that there is a PSPO in place. Where people are in breach and have not moved on, warning letters have been issued. This has in the majority of cases, combined with the option of moving to the

transit site where appropriate, enabled officers to move the unauthorised encampment where there are no presenting welfare issues.

- 3.11 The table below shows unauthorised encampments on PSPO areas and where warning letters were issued in relation to unauthorised encampments in PSPO areas since the introduction in April 2017. The figures also include warning letters issued to individual van dwellers, as well as individuals handed one who were part of an encampment.

PSPO encampments

Location	Encampments 2016	Encampments 2017 (warning letters issued)	Encampments 2018 (warning letters issued)	Encampments 2019 (warning letters issued)
Wild Park	5	7(34)	3 (18)	2 (21)
Waterhall	4	4(54)	0	3(6)
Stanmer Park	6	3 (101)	2 (44)	3 (43)
Preston Park	8	3 (36)	0	0(6)
Seafront Inc Hove Lawns	9	6 (61)	12 (143)	3 (54)
East Brighton park	N/A	0	2 (32)	0(4)
Hollingbury Park	N/A	2(21)	0	0
St Helen's Green	N/A	0	1(6)	0
Woodingdean Cemetery	N/A	0	0	1 (14)

- 3.12 In relation to tent encampments, that are in the majority of cases occupied by rough sleepers, the council has used alternative existing powers and commissioned support services to manage the issues presented. The Seafront Team and City Parks officers have used the existence of the PSPO as a means of persuading people to move on but based on proportionality and necessity no formal warning letters have been issued.
- 3.13 The PSPO in place in the city does not target rough sleepers. The order only applies to selected areas in the city.

3.14 In December 2017 the Home Office issued revised guidance to accompany the Anti-social Behaviour Crime and Policing Act 2014 and it included the following.

‘Public Spaces Protection Orders should not be used to target people based solely on the fact that someone is homeless or rough sleeping, as this in itself is unlikely to mean that such behaviour is having an unreasonably detrimental effect on the community’s quality of life which justifies the restrictions imposed. Councils may wish to consider whether the use of a Public Spaces Protection Order is the appropriate response. These orders should be used only to address any specific behaviour that is causing a detrimental effect on the community’s quality of life which is beyond the control of the person concerned. Councils should therefore consider carefully the nature of any potential Public Spaces Protection Order that may impact on homeless people and rough sleepers. It is recommended that any Order defines precisely the specific activity or behaviour that is having a detrimental impact on the community. Councils should also consider measures that tackle the root causes of the behaviour, such as the provision of public toilets. The council should also consider consulting with national or local homeless charities when considering restrictions or requirements which may impact on homeless people and rough sleepers.’

3.15 Prohibitions in the order that cover the lighting of fires, defecating and urinating, driving on grass and littering and fly tipping have not been called upon by officers.

3.16 There have been several occasions when council officers have not been in a position to safely challenge breaches, either because officers were being threatened and were in an unsafe situation, or because although police were requested they were not in a position at that time to support officers. These decisions in relation to officer safety and enforcement are not exceptional. Other teams experience similar problems on some occasions.

3.17 The following points have been noted by Officers involved in a range of impacted services areas:

- Given that many of the people that were dealt with in relation to using the parks for sleeping were either hard to identify or evidently of low income, the likelihood of action under the PSPO was low and of itself not a deterrent.
- In relation to travellers Sussex Police are utilising their powers (the last traveller encampment of any note was cleared by the Police).
- The main traveller issue is around non-ethnic travellers. This small group seldom leaves the city and moves from one site to another, but these are seldom within the PSPO areas.
- In practice despite the PSPO the Council relies on County Court possession orders to regain possession of land (or as appropriate get the Police support).
- Seafront and Parks have reported a reduction in fire issues for a combination of reasons – including field officers and Police presence on the seafront.
- Human waste was relating to traveller encampments and as these are significantly reduced that issue is also declined.

- Littering is an offence in its own right and we now have officers dealing with this (enforcement officers).

3.18 A City wide preventative injunction would be an alternative approach which could provide a more efficient remedy. Such an injunction could cover named sites in the City and can be accompanied by a High Court order requiring police support for enforcement of a breach. It would have the potential to be City wide and remove the need for possession action or other enforcement action in individual cases, whilst retaining appropriate welfare assessments.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 There are other provisions available to officers to manage ASB in parks and open spaces in relation to the prohibitions of the existing order. In relation to encampments these include powers under the Criminal Justice and Public Order Act 1994 and common law powers and Part 55 of the Civil Procedure Rules. Additionally there is an internal tent protocol in place where a notice is served prior to action being taken for the removal of tents.

4.2 There are also other provisions available for officers to manage other prohibitions including bylaws and other criminal and civil remedies.

4.3 The order enables officers to use a more direct approach to manage ASB in parks and open spaces if they believe it is appropriate and proportionate. Although no prosecutions have been pursued, in many instances officers have found the order useful in managing ASB and setting the tone. Areas where the order is in force are supported with signage which may also discourage ASB.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 There was extensive consultation undertaken prior to the introduction of the order. There is a legal requirement that the local authority consults with specific individuals and groups as part of the introduction of PSPOs. This would form part of the review.

5.2 Feedback since the order has been in place has been positive. Local Action Teams (LATs) and park users have been canvassed. LAT responses have endorsed the order, some LATs would like the order extended to other areas. Brighton Rugby Club based at Waterhall said:

‘the order has been revolutionary for us, there have been no instances of ASB since the order was in place and we have not changed any security measures to effect this. We can provide a community sport without damages, intimidation, and rubbish clear ups. We have found the whole experience much improved’.

Friends Families and Travellers, an organisation supporting Gypsies and Travellers, have written to the council to ask them to consider withdrawing the order in light of the revised guidance from the Home Office.

6. CONCLUSION

- 6.1 The order has, as part of a range of options, helped to deal with ASB in parks and open spaces. However several other areas not subject to the order have witnessed ASB and also some of the prohibitions in the original order have not had to be utilised. It is felt therefore that a full scale review would be beneficial..

7. FINANCIAL & OTHER IMPLICATIONS:

- 7.1 There are no direct financial implications arising from the recommendation made in this report.

Finance Officer Consulted: Michael Bentley

Date: 01/11/19

Legal Implications:

- 7.2 Legal implications are set out in the body of the report. PSPOs are required to be time limited and therefore a review and consultation is necessary if the Council wishes to retain their use.

Lawyer Consulted: Simon Court

Date: 1/11/2019

Equalities Implications:

- 7.3 In relation to groups protected by the Equality Act 2010 there is an impact on Gypsies and Travellers because they are likely to be frequently affected by the PSPO prohibitions if they are in one of the twelve locations. However, there is a Transit and Permanent site in the city that is available.
- 7.4 In relation to people that are using tents and are homeless a broad range of support services are available to them to help them off the streets some of which are commissioned or directly delivered by the council.
- 7.5 Discretion in relation to the enforcement of the order is exercised by officers. The council and commissioned services will continue to assess the welfare needs of those that are breaching the order.

- 7.6 The order is only one of a number of options available to address anti-social behaviour and is considered alongside other remedies such as injunctions, bylaws, criminal prosecutions the tent protocol and powers under the Criminal Justice and Public Order Act 1994 to deal with encampments.

Crime and Disorder Implications:

- 7.7 The order is only one of a number of options available to address anti-social behaviour and is considered alongside other remedies such as injunctions, bylaws, criminal prosecutions the tent protocol and powers under the Criminal Justice and Public Order Act 1994 to deal with encampments.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Background Documents

1. None

Subject:	Women in Local Government		
Date of Meeting:	21 November 2019		
Report of:	Executive Lead for Strategy, Governance & Law (Monitoring Officer)		
Contact Officer:	Name:	Giles Rossington	Tel: 01273 295514
	Email:	giles.rossington@brighton-hove.gov.uk	
Ward(s) affected:	(All Wards);		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 In April 2018 Full Council agreed to explore options to implement the recommendations of the Fawcett Society report on women in local government. Action has subsequently been taken on a number of the recommendations, but some recommendations require further decisions by members. This report seeks approval for plans to address the outstanding recommendations.
- 1.2 The actions in response to the outstanding Fawcett Report recommendations are included as Appendix 1 to this report. These plans have been discussed by a cross-party group consisting of the Group whips.

2. RECOMMENDATIONS:

Tourism, Equalities, Communities & Culture Committee:

- 2.1 That the Committee agrees the plans to address the outstanding Fawcett Society recommendations as detailed in Appendix 1
- 2.2 That Members recommends to the Policy & Resources Committee that the proposals set out in Appendix 1 be approved.

Policy & Resources Committee:

- 2.1 That the Committee approves the proposals set out in Appendix 1.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In July 2017 The Fawcett Society, in partnership with the Local Government Information Unit, published a report on women in local government: Does Local Government Work for Women? The report looked at the representation and experiences of women employed by and elected to local authorities. It also made a number of recommendations for improvement.

- 3.2 In April 2018 a Green Group Notice of Motion (NoM) to Full Council asked the Council to agree to explore options for implementing the Fawcett Society report recommendations. This was agreed by Full Council.
- 3.3 A report detailing actions taken in regard to the Fawcett Society report recommendations was taken to Policy, Resources & Growth Committee (PRG) in December 2018. Whilst officers had taken action on a number of the recommendations, others required further member decisions. PRG consequently resolved that the outstanding recommendations should be considered by a member group consisting of the party whips, with the groups' recommendations to be taken to the relevant committee(s) for approval.
- 3.4 It was not possible to arrange this meeting prior to the May election. However, the group has now met and has discussed actions against each of the outstanding Fawcett Society recommendations (Appendix 1).

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Council has committed to exploring options for implementing the Fawcett Society report recommendations and a cross-party member group consisting of the Group whips has discussed actions in respect of the outstanding recommendations.
- 4.2 The committee has the option to reject the actions proposed.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 None has been undertaken for this report which is largely focused on internal Council processes and procedures.

6. CONCLUSION

- 6.1 The committee is asked to approve plans to address the implementation of the recommendations in the Fawcett Society report on women in local government, as agreed by Full Council in April 2018.
- 6.2 These plans have already been considered by a cross-part group of party whips.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no significant financial implications arising from this report. Costs incurred in the recommendations, for example administering training sessions, would be expected to be met within existing resources

Finance Officer Consulted: Peter Francis

Date: 12/11/2019

Legal Implications:

- 7.2 The proposals in this report are consistent with the Council's powers and will assist the Council in complying with its obligations under the Equalities Act 2010

Equalities Implications:

- 7.3 Women have been historically un-represented in local government, particularly in terms of elected members and in political and officer leadership positions. The Fawcett Society report recommendations, and the proposed council actions in response to these recommendations, are intended to help redress this imbalance.

Sustainability Implications:

- 7.4 None identified

Any Other Significant Implications:

- 7.5 None identified

SUPPORTING DOCUMENTATION

Appendices:

1. Proposals, agreed by the cross-party whip group, to address the outstanding recommendations of the Fawcett Society report

Background Documents:

1. The Fawcett Society: Does Local Government Work for Women?
<https://www.fawcettsociety.org.uk/Handlers/Download.ashx?IDMF=0de4f7f0-d1a0-4e63-94c7-5e69081caa5f>

Appendix 1

OUTSTANDING FROM THE WOMEN IN LOCAL GOVERNMENT REPORT.

1. Introduction

In December 2018, the Policy, Resources and Growth Committee received a report on implementation of the proposals in the “Women in Local Government” report commissioned by the Fawcett Society and the LGIU. Some of the recommendations had been actioned and the Committee asked for the outstanding matters to be considered by Group Whips with recommendations going back to committee. This note lists the outstanding matters with recommendations.

2. Introducing a reasonable adjustment policy for disabled councillors.

Under the Equality Act 2010, Councils have a duty to make reasonable adjustments in relation to Members. There is also the duty to pay due regard to advancing equality and this includes encouraging disabled people to participate in public life.

The Council currently does not have a specific policy for Councillors. However, the same policies that apply to staff could be applied to Members with suitable adjustment.

Recommendations

- That members be encouraged to complete a form about any disability and any additional or special needs they may have;
- Ensure Members have access to the Council's occupational health facility to the extent that their condition affects their role as Councillors;
- Raise awareness of disability among members and officers;
- Make sure all reasonable adjustments are made
- Develop a policy that mirrors the one that applies to officers with necessary modification

2 Local government leaders to support BAME and Muslim women who experience pressure from within their communities not to participate in political life.

The Fawcett report focused on the barriers that BAME and Muslim women may face when standing as a candidate. The report urged senior party figures within local government to not be bystanders if they see BAME women, in particular Muslim women, being discouraged from standing or facing obstacles.

The report recommended that local government leaders recognise and talk about the problem, actively work with BAME and Muslim women to encourage women in their communities to stand, and to offer support to them if they do.

Recommendations

- Ensure awareness raising sessions for potential candidates are held in time before parties pick up candidates
- Consider inviting high profile BME Members from other authorities to share their experience

- Recommend political parties to encourage women from BME backgrounds to come forward as candidates
- Ensure that the Council's ways of working, publicity and engagement does not alienate women from BME backgrounds

3 Establishing a formal role to oversee Member conduct

This Fawcett recommendation is that the Council considers appointing a senior Councillor whose role it is to promote culture change and promote equality. This role would be separate from the standards complaints procedure.

Recommendation

That the Lead Member for Equalities takes the role of leading on equalities as it affects Councillors. Ensure there is Mentoring and other support to develop the role.

4 Active sponsorship of new Councillors

The Fawcett recommendation for Councils to introduce sponsorship schemes for all new Councillors and for women Councillors to be encouraged to take part in the scheme. The scheme could be akin to a mentoring scheme.

The Council already offers a senior officer "buddy" for new Councillors. Political groups may also choose to buddy new members with more experienced members.

Recommendation

Identify opportunities through the Member Development Working Group and the LGA and encourage all Groups to introduce/continue schemes for supporting new Councillors.

5 Adopting a requirement in the Constitution for at least 50 percent of Chairs of Committees to be women

Currently, out of the ten Council Committees, six Chairs of Committees are women. This is 60% and therefore currently exceeds the recommendation. Whilst this is the current arrangement, the Fawcett recommendation seeks to *impose* a requirement for at least 50% of Chairs to be women, if this is possible. It is suggested in the Fawcett report that this requirement could also extend to Deputy Chairs. Currently, of the seven committees that appoint Deputies, five are women, equating to 71%.

Recommendation

To include a reference in the constitution to an aspirational to secure that 50% of chairs and Lead Member roles are held by women. This would not be legally binding but would give a clear indication of the Council's intent and desire.

6 Supporting gender equality networks between Councillors and local government officers

The Fawcett Society recommends that the above could be delivered through regional networks which the Fawcett Society and LGiU intend to lead on establishing.

Recommendation

Identify appropriate networks through the LGA, LGIU and Fawcett Society and ensure r have access to such networks.

7 Working with the police

The Fawcett report recommends that local authorities should work with the local police force to ensure that women council candidates understand the legal protection available against online and offline abuse and harassment of Council candidates. The suggestion for consideration is for Councils to work alongside local police forces to set up information sessions for women candidates prior to election periods, so that they can be made aware of their legal rights to protection and to ensure that both they and the police are clear when interactions on social media cross the line into illegal abuse and harassment.

Recommendation

- Members note the work done on Member safety as part of the Member Induction Programme;
- Ensure that this is repeated at appropriate intervals with updates and that the police are invited to participate in sessions on Member safety.

8 Maternity, paternity, adoption and parental leave policy for Councillors

The Fawcett report recommends that the Secretary of State for Communities and Local Government should introduce a statutory England-wide, comprehensive maternity, paternity, adoption and parental leave policy for councillors.

Regardless of whether a statutory policy is introduced, the Council has the ability to choose to adopt a policy for Councillors if it considers it desirable.

Recommendation

- Note that, under current arrangements, Members in Brighton & Hove do not lose allowances for absence and there is no need to seek “leave.” The Independent Remuneration Panel review the issue of review Members’ allowances on an ongoing basis, including carers’ allowances. We will keep the position under review but the Constitutional Working Group did not feel it was necessary to introduce a policy for leave given there are no restrictions under the current system.
-

9 Meeting times

The Fawcett report recommends that Councils should regularly survey Councillors to identify the most mutually convenient meeting times for all Members involved in the meetings and when setting meetings, should ensure Councillors with caring responsibilities and disabled councillors are not excluded. Attempts to secure agreement to any changes have not been successful in the past.

Recommendation

- Undertake a survey of Members and bring the findings to the Whips meeting. If there is consensus, then submit proposals to P&R and the Chief Executive for approval.

10 Training to tackle discrimination –

The Fawcett report recommends that training be offered to Councillors on equalities/tackling discrimination.

Training is already provided as part of the Councillor induction scheme. This consists of both equalities training for new Councillors and training offered for all Councillors. One example of the latter was the recent training offered on unconscious bias.

Recommendation

- Ensure, through the Member Development Working Group, that the Member development programme includes a session on equalities.

11 Audio recordings of Council meetings to enable transparency –

The Fawcett report recommends that Council meetings should be recorded to ensure transparency.

Full Council meetings are already recorded via webcam. Most Committee meetings are also recorded. Only three Committees are currently not recorded (Licensing, Audit & Standards and Health Overview & Scrutiny Committees).

Recommendation

- That Officers consider extending webcasting to the three Committees mentioned above, but not Licensing Panels or Personnel Appeals Panel.

12 Members Allowance Scheme

The Fawcett report recommended that Councils review their members Allowance Schemes in respect of child and dependent care payments.

The Independent Remuneration Panel has met to consider amending the Members Allowance Scheme in respect of child and dependent care allowance. The full report was submitted to Full Council in December 2018.

Recommendation

Ensure that the IRP reviews this at appropriate intervals to ensure it remains effective and up-to-date.

13 Flexible working and part-time working –

Whilst the majority of the Fawcett recommendations focus on Members, one part of the report focused on the relative lack of women in senior roles, compared with the high number of women being employed by local authorities. One barrier to progression to senior roles is the lack of flexible or part-time working for senior roles.

Councils are recommended to offer all roles, including senior roles, as flexible working and part-time by default unless there is a clear business case otherwise. The business case is recommended to be backed up by a genuine organisational commitment to viewing flexible working on equal terms with traditional working patterns.

The Council already has a policy in place whereby all roles are open to being worked on a flexible working basis unless there is a clear business case whereby this would not be possible. Any Council officer can also apply for the role to be a job share, whereby part of the assessment is whether the job can be made part time. When a post becomes vacant, consideration is also given to whether the post can be a job share.

Recommendation

- To note the Council's current policy as it applies to Officers
- That the Council agrees that Member positions of special responsibility (such as Chair, Deputy Chair or Lead Member) are open to job share.

14. Use of Non-disclosure Clauses in Settlement

14. Use of Non-disclosure Clauses in Settlement

This recommendations comes not from the Fawcett Society, but from the Parliamentary Select Committee on Women and Equalities. It proposes restricting the use of non-disclosure agreements (NDAs) in settlement agreements. It is expected that this will be reflected in legislation to be introduced by the government, but it is not clear when that will happen. The Council's current practice is to include confidentiality or non-disclosure clauses in all settlement agreements.

Recommendation

- That the Council supports the principle of restricting the use of non-disclosure agreements to what is necessary and proportionate. This could include limiting NDAs to cases (a) where the employee requests it, and (b) where the use is approved by the Compensation Panel (the Panel that approves severance settlements) or a senior officer (could be Chief Executive, Monitoring Officer or Executive Director for Finance & Resources) as being necessary and proportionate. It should not apply in cases covered by the Public Interest Disclosure Act.
- That the Head of HR&OD and the Executive Lead Officer for Strategy, Governance & Law be authorised to implement the proposal subject to the outcome of consultation with the unions.

Abraham Ghebre-Ghiorghis

Lead Executive Officer, Strategy, Governance & Law

4 September 2019

Subject:	Madeira Terrace Restoration - update		
Date of Meeting:	21st November 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Abigail Hone	Tel: 01273 292163
	Email:	Abigail.Hone@brighton-hove.gov.uk	
Ward(s) affected:	East Brighton; Queen's Park;		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report updates members on the current status of the first phase of the restoration of Madeira Terrace, including the procurement process and responds to the recommendations agreed at [Tourism, Development and Culture Committee \(TDC\)](#) on 20th June 2019. At that committee members agreed to delegate authority to the Executive Director for Economy, Environment & Culture to procure and award a contract for early design stage work (RIBA 0-1) and engineering of 30 out of a total of 151 Madeira Terrace arches. This report sets out that when designs are ready, and costings of construction established, the council will move immediately to deliver the three arches paid for by crowd funding and will not wait for funds to be available to implement 30 arches. Following delivery of the three arches the council will deliver as many arches as possible with the funding available at the time. TDC instructed officers to specify innovative renewable technology such as solar panels and rainwater harvesting so that this is made a priority for any contract award. This will help to reduce costs in the long-term and help the city meet its commitment to achieving a carbon neutral status by 2030.
- 1.2 The report sets out the steps necessary to appoint the design team, the work being done with community stakeholders, and asks members to support a request to Policy & Resources Committee for a Project Board to offer governance for Madeira Terrace.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the current status of the project and the steps taken towards appointment of a design team, a crucial next step in restoration delivery which will start with the three arches.
- 2.2 That the committee recommends to Policy & Resources Committee that it introduces a Project Board, with cross party representation for Madeira Terrace.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The report prepared for [Tourism, Development and Culture Committee](#)

on 20th June 2019 highlighted the complexity in delivering the restoration of Madeira Terrace, and outlined the events and activities shaping the proposed approach to restoration. Approval to appoint a design and engineering team to explore innovative design options for the Terrace was agreed along with an agreed budget of £550K to do so. The same report outlined the council's response to a petition raised by Members of the 'Save Madeira Terraces Raffle Group'. The petition sought a dialogue with the council about which three arches should be renovated using funds raised through the council's successful crowdfunding campaign.

3.2 It was acknowledged in committee that three arches require the same design and engineering work as a larger number of arches so restoring three arches in isolation may be more costly. As such, officers were seeking funding for a more cost effective initial phase to restore 30 arches. The procurement of a design team for 30 arches therefore ensures the delivery of more restored arches can carry on immediately after delivery of three arches paid for by crowd-funding.

3.3 Amended recommendations to the 20th June TDC committee were voted and resolved as follows:

1) That the Committee delegates authority to the Executive Director for Economy, Environment & Culture to procure and award a contract for early design stage work (RIBA 0-1) and engineering of 30 out of a total of 151 Madeira Terrace arches and instructs officers to include a requirement in the contract that the use of innovative renewable technology such as solar panels and rainwater harvesting should be made a priority to reduce costs in the long-term and help the city to meet its commitment to achieving a carbon neutral status by 2030.

2) That the Committee instructs the Executive Director for Economy, Environment & Culture to bring a report to the November committee outlining proposals to use the crowdfunded funds (alongside the allocated council funding if required) to progress plans for the development of an initial three arches - to showcase what is possible and; - to gain a deeper understanding of the technical challenges that may present themselves during the development of subsequent arches; - with the intention that plans are progressed to develop the initial three arches, to similar sustainability standards, without waiting for funds to be available to develop the 30 arches as described in 2.1. This report should contain options for which three arches should be progressed and developed, including an option of the three arches directly outside Concorde 2 and an assessment of the business case for leasing these to Concorde 2 as they have suggested.

3.4 In addressing the first recommendation, expertise, advice and guidance has been sought to scope out professional disciplines required among the design team for the restoration and creative re-use of Madeira Terrace. This scoping work also assists the council to define the skills and expertise necessary to incorporate the use of 'natural capital' available in this part of the city; for Madeira Terrace this is proximity to the sea (potential heat and energy source) and south-facing aspect (solar/solar gain).

- 3.5 In August 2019 Feilden Clegg Bradley Studios (FCBS) helped scope the possible design team structure and reviewed the realism of estimated timescales to deliver the first wave of restored arches. FCBS have also advised on surveys which can be commissioned in advance of design team appointment to expedite the work of the design team once they are in place e.g. full Asbestos Survey, Point Cloud (3D) surveys.
- 3.6 The instruction to officers has also been to include the use of innovative renewable technology such as solar panels and rainwater harvesting to help the city meet its commitment to achieving a carbon neutral status by 2030. In order to achieve this mechanical and electrical engineering aspects of design are likely to include the whole Terrace, then the team will give subsequent consideration to where and how the first 30 arches (including the first three arches awaited by crowd funders) are to be delivered, against other criteria important to the selection of the first 30 such as improving access to the beachfront.
- 3.7 Many technical challenges associated with the existing structure are already known due to regular structural surveys monitoring changes to the fabric of Madeira Terrace and other structural defects. Surveys being scoped in advance of design team appointment will help the design team explore possible design solutions more swiftly.
- 3.8 Producing designs from which costs can be more realistically established will help get the best value for money from contractors appointed to build and restore Madeira Terrace by removing risk and uncertainty. When designs are ready, and costings of construction established, the council will move immediately to deliver the three arches awaited by crowd funders and will not wait for funds to be available to implement 30 arches. Following delivery of the three arches the council will deliver as many arches as possible with the funding available at the time.

Concorde 2

- 3.9 At the beginning of July 2019 officers met with owners of Concorde 2 to establish their business interest in the restoration of the Terrace. Concorde 2 owners understood the current approach of the council to appoint a skilled design team to work through design issues and options for the structure. Both the Concorde 2 owner and promoter were encouraged to nominate themselves to the community led Advisory Panel. Concorde 2 stated they welcome further discussion with the design team when they are appointed.

Project progress to date:

- 3.10 Initiation of the project in its current form began when the TDC committee gave approval for a budget to proceed with the project. Since 20th June 2019 the main priority for officers has been the appointment of a design team.
- 3.11 As stated in 3.5 work to scope an architect led design team has begun. The scale of the design requires that procurement of the design team complies with EU regulations. The procurement process can take a long time, depending on the 'routes to market'. The work with FCBS have also outlined surveys which can be commissioned prior to a design team being in place These surveys would

ordinarily be commissioned by the design team once appointed; the aim of the council has been to expedite the work of the design team as much as possible prior to appointment.

- 3.12 The council has selected conservation architecture experts to advise on the brief for the design team and to assist with the procurement process. This is to ensure the quality of the brief and specification help the council appoint an excellent design team for the first phase of restoration.
- 3.13 Local architect, Duncan Baker Brown will be employed as 'critical friend' to input on how to build circular economy principles into the work of the design team. The circular economy principles contribute to create a design solution which helps deliver the council's 2030 carbon neutral target for the city.
- 3.14 To assist in managing expectations of this committee, officers in the council are keen to maintain momentum on the project and are balancing speed of delivery against the most effective approaches in terms of technical considerations and cost. It is important to note that whatever number and wherever the location of any restoration of any arches the following stages of the project need to be observed:
1. Scope and specify expertise required of design team
 2. Write a procurement specification to tender for the design team
 3. Issue the tender
 4. Appoint the design team

The Council will let multiple contracts for the specialist roles required to form the design team. This could take up to 6 months from tender advertisement. It is anticipated the documentation will be ready to advertise from December 2019 and officers will continue to seek compliant procurement routes which enable appointment of the design team by Spring 2020.

- 3.15 Since end June 2019 new web pages for the project have been in development to create a user friendly web presence for the project where people can find out the latest information on the project. These new pages are due for publication in November 2019.
- 3.16 In early July 2019 an Expression of Interest was submitted to the Local Enterprise Partnership's Local Growth Fund for £500K to support work on designs, however this was not successful.
- 3.17 At the end of August 2019 a workshop was held with Design South East to scope a brief and specification for a masterplanning consultancy to undertake master planning activity for the Eastern Seafront area and produce a Supplementary Planning Document. This piece of work would explore the vision for the Eastern Seafront area, including Madeira Terrace. Officers are discussing the need for increased, dedicated resource and budget for this piece of work if the relevant committee give approval to proceed.
- 3.18 In early Sep 2019 Historic England conducted a site visit and review of the Madeira Terrace listing grade. Madeira Terrace is currently Grade 2 and the

council are seeking a re-grade to Grade 2* Historic England's [initial assessment report](#) has been prepared and is available online.

- 3.19 The restoration of Madeira Terrace needs to respond to not only structural deterioration but also to the end users of the Terrace in a way that is sustainable. Council officers have been working alongside the [Advisory Panel](#) to create shared objectives for the project and on 6th November 2019 a Project Lab, led by Heritage Insider, was held to help capture the aspirations and vision of the local community. Helping to 'put the people into the plans' for the Terrace.
- 3.20 It is proposed that a member led project board be established to offer good governance to the project team in the council and give members better oversight of the project overall. This would be a permanent group. Only Policy & Resources Committee has the power to establish such boards, so a request will go to the 5th December 2019 meeting of that committee, including proposed draft Terms of Reference.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 A 'do nothing' option for Madeira Terrace is considered unacceptable as the current status quo of managed decline costs the council approximately £152K p.a. and means public access to the eastern seafront is restricted.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The fortnightly meetings with resident community stakeholders principally involved in the 'Save Madeira Terraces Raffle Group' continued through to the first Advisory Panel meeting on 10/09/19 after which members from the fortnightly meetings requested these were reduced to monthly before then requesting the meetings were cancelled altogether. Two representatives from Save Madeira terraces raffle group nominated themselves to represent residents' interests on the Advisory Panel.
- 5.2 The Advisory Panel have met twice since formation – 10/09/19 and 17/10/19 and are a group of self-nominated representatives from the community with an interest in the restoration of Madeira Terrace. This panel will work alongside the council in bringing forward the Madeira Terrace restoration. The panel will meet at least quarterly and will represent the following community interest group categories:
- community groups
 - event organisers
 - businesses
 - tourism and travel
 - conservation of built and natural environment

The Panel is intended to act as a 'funnel' for information and perspectives from the community interests represented on the panel in order to work alongside the project team at the council as the project develops and through to delivery on site.

- 5.3 The new web pages for the project will introduce panel members so people can see who is on the panel and putting forward perspectives from various community interests. Working together alongside the council these community members will help shape a coherent vision for the project with shared objectives. These objectives will help everyone involved ‘sense check’ the direction of the project as it evolves. By working in this way aspirations of the community (end users of the Terrace) are aligned with the physical delivery of the restoration..

6. CONCLUSION

- 6.1 This report updates the TECC committee on the current status of the Madeira Terrace restoration and in doing so sets out the steps necessary to appoint the design team, the work being done with community stakeholders and asks members to support at P&R a request to Policy & Resources Committee for a Project Board to offer governance for Madeira Terrace restoration.
- 6.2 Given the high visibility of this type of project it is necessary for members to understand the complexity and timescales associated with project delivery. Gaining the input and perspectives of our diverse community takes time, effort, resource and negotiation.
- 6.3 An estimated timeline has been prepared to accompany the recently updated web pages for the project; this timeline will be kept up to date as the restoration project progresses forming an information resource for public and members of this committee.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications as a result of this report. Capital resources of £2.0m have been approved as part of the Council’s Capital Investment Programme and £0.550m of this was approved at Policy and Resources Committee in June 2019 to support the cost of design works. Separate funding of £0.440m from the Crowdfunding campaign will also support the implementation of the first three arches. Work will continue to identify further investment opportunities to support the project.

Finance Officer Consulted: Rob Allen

Date: 25/10/19

Legal Implications:

- 7.2 In accordance with Part 4 of the Council’s Constitution, TECC is the appropriate decision-making body in respect of the recommendation(s) set out in paragraph 2 above. Where a matter is to be referred to Policy & Resources Committee it will normally be considered first by the Committee with responsibility for the relevant functions or service area before being referred with recommendations to the Policy and Resources Committee for a decision.
- 7.3 The Council’s Constitution allows committees to establish member working groups. Permanent member groups (as opposed to ‘task and finish’ groups, set up on a time-limited basis) may only be established by the Policy and Resources

Committee. The terms of reference of all permanent groups shall be approved by Policy & Resources and included in the Constitution.

- 7.4 The Council is required to comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial thresholds for services, supplies and works. The Council's Contract Standing Orders (CSOs) will also apply. Authority to commence the necessary procurements has already been granted by this Committee.

Lawyer Consulted: Wendy McRae-Smith

Date: 06/11/19

SUPPORTING DOCUMENTATION

Appendices

None

Background Documents

1. 20 June 2019, [Tourism, Development and Culture Committee Report](#)
2. 30 November 2017 [Policy, Resources & Growth Committee Report](#)
3. Seafront Investment Strategy 2016-21
4. [Madeira Drive Regeneration Framework \(Jan 2017\)](#)

Subject:	Outdoor Events - Madeira Drive 2020		
Date of Meeting:	21st November 2020		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Ian Shurrock, Ian Taylor, Daniel Watson	Tel: 01273 292084 Tel: 01273 292711
	Email:	ian.shurrock@brighton-hove.gov.uk, ian.taylor@brighton-hove.gov.uk, dan.watson@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek approval from members for landlord's consent for each of the proposed events on Madeira Drive in 2020 and the associated road closures.

2. RECOMMENDATIONS:

- 2.1 That the committee grants landlord's consent for each of the proposed events on Madeira Drive and the associated road closures as listed in Appendix 1.
- 2.2 That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- 2.3 That the committee authorises the Executive Director, Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Madeira Drive is a very important venue for events in the city. The long heritage of events on Madeira Drive is reflected by most of the events listed in Appendix 1 having taken place at this location previously. The events draw residents and visitors to Madeira Drive which extends the Seafront offer both geographically (along from the main tourism area between the piers) and seasonally (by holding events throughout the year).
- 3.2 The closure of the Madeira Terraces has not currently resulted in a reduction in proposals for events on Madeira Drive. However, the safety fence adjacent to the Terraces has impacted upon the operational requirements of some events. The council is seeking a long term solution to replace the Madeira Terraces which are

beyond repair. It will be important that this solution enhances Madeira Drive as an events venue and assists with the long term economic sustainability of the area.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Not applicable

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Consultation is taking place with Ward Councillors, Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service and NHS Trust. Internally, consultation is taking place with the Seafront Office, Environmental Health & Licensing, City Parks, Civil Contingencies, Sustainability and Highways.

5.2 As this report is being considered well in advance of next year's programme to assist organisers, it has not been possible to include all consultation responses in the report. A verbal update on the consultation responses will be given at the committee meeting.

6. CONCLUSION

6.1 Landlord's consent is required for the staging of all major outdoor events on council land within Brighton & Hove.

6.2 Events continue to form an increasingly significant part of the council's overall tourism strategy. As well as bringing substantial economic benefits to the city, people experience civic pride when major recreational, sporting and entertainment events take place in their locality. These help to bring regional and national recognition to the city as well as bringing significant economic benefits.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 In accordance with the existing Outdoor Events policy, fees are charged for commercial events and any costs incurred are the responsibility of the organiser. In addition, a reinstatement deposit is usually held and evidence of adequate insurance cover is required. The fees charged are determined by negotiation based on a number of factors including capacity, whether a new or established event, whether an admission fee is to be charged and infrastructure required; all of these are subject to agreement by officers as per the recommendations of this report.

7.2 The income generated from fees charged for commercial events on Madeira Drive contribute to the costs of the Outdoor Events Team and enables charitable and community events and free public entertainments to be supported at reduced rates across the city.

Finance Officer Consulted: Jess Laing

Date: 25/10/2019

Legal Implications:

- 7.3 The Council is empowered under the East Sussex Act 1981 to use Madeira Drive for up to 28 days a year in order to facilitate the staging of major outdoor events.
- 7.4 The proposals in this report are made in accordance with the Outdoor Events Policy.
- 7.5 The terms of the agreements with the event organisers, the ongoing consultation process and the long lead-in periods should ensure that the events are safe and well managed, and that disruption is kept to a minimum.

Lawyer Consulted: Alice Rowland

Date: 29/10/2019

Equalities Implications:

- 7.6 The Events programme caters for people from a broad sector of the community as there is a diverse range of events that are staged in the city each year. Issues such as physical access to an event and designated viewing areas are developed and detailed in event plans where applicable.

Sustainability Implications:

- 7.7 All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.
- 7.7 The nature of outdoor events means that they often involve a range of potential sustainability impacts (both positive and negative) from travel, energy and water use, food, local economic and social impacts, use of outdoor spaces and production of waste. Through the Sustainable Events Programme, event organisers are supported to improve sustainability at their events, focusing on the areas with the highest potential impact. The programme is certified to the international standard for environmental management ISO 14001.
- 7.8 The Sustainable Events Programme gained certification to the International Standard for Sustainable Events ISO 20121 in October 2013. The programme helps deliver visible sustainability initiatives, particularly around event waste recycling and encouraging people to use public transport.

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.9 Sussex Police are involved in both the consultation and planning of all major events.

Risk and Opportunity Management Implications:

- 7.10 The City Safety Advisory Group has an overview of all the major events that take place in Brighton & Hove that have the potential to attract significantly large numbers of people. A protocol and good working partnerships between the

council and emergency services are in place in the city and close agency working will be integral to both the planning and delivery of events.

- 7.11 Event specific Safety Advisory Groups can be convened for all major outdoor events taking place in Brighton & Hove.

Public Health Implications:

- 7.12 The diverse range of events has the potential to contribute positively to the health and well-being of the participants. This includes the direct benefits of taking part in physical activity events such as those for running, walking and cycling. Furthermore, events can contribute to a sense of community, local pride and cultural identity which can have a positive impact on the well-being of those involved.

SUPPORTING DOCUMENTATION

Appendices:

1. Madeira Drive road closures 2020

Background Documents

None

Appendix 1

EVENTS - MADEIRA DRIVE

Events requiring the closure of Madeira Drive 2020

DATE	EVENT	CLOSURE	ATTENDANCE PEAK
Sunday 23 rd February	Brighton & Hove Half Marathon	Sat 06:00 – 23.59 LP9 (lamp-post) – LP20 Sun Aquarium to Black Rock 00.00–19.00	15,000
Saturday 4 th April	InCarNation	Aquarium to Black Rock 05:00 – 20.00	5,000
Sunday 19 th April	Brighton Marathon	Fri/Sat LP8–LP20 from 00.00 Sun Aquarium to Black Rock 03:00–22:00	40,000
Saturday 2 nd May	Children’s Parade	Aquarium to base of Duke’s Mound 06:00– 15:00	20,000
Sunday 3 rd May	Historic Commercial Vehicle Run	Aquarium to Black Rock 06:00–19:00	5,000
Sunday 17 th May	Mini Owners Rally	Aquarium to Black Rock 05.00 – 18:00 hrs	5,000
Sunday 31 st May	Classic Car Run	Aquarium to Base of Dukes Mound 06:00 – 18:00	2,500
Saturday 30 th May	Brighton Run2Music	Dukes Mound to Black Rock 00.00 – 18.00	2,000
Sunday 21 st June	British Heart Foundation’s London to Brighton Bike Ride	Sat LP8 – 20 06.00 – 23.59 Aquarium to Black Rock Sun 00.00 – 23.59	30,000
Saturday 5 th September	Speed Trials	Aquarium to Black Rock 05.00 – 22:00	10,000
Sunday 6 th September	Ace Café Reunion	Aquarium to Black Rock 05.00 – 22:00	15,000
Sunday 13 th September	Do it for Charity London to Brighton cycle event	Base of Duke’s Mound to Black Rock 04.00 – 20.00	4,000

Sunday 20 th September	Ragnor Rally White Cliffs 2019	Dukes Mound to Black Rock 05.00 – 20.00	1,500
Saturday 26 th September	Brighton Breeze (VW vehicles)	Aquarium to Black Rock 06:00-18:00	6,000
27 th September	Brightona (motor cycle rally)	Aquarium to Black Rock 06:00 – 20:00	5,000
Sunday 1 st November	Veteran Car Run	31 st Oct : LP 8 -20 06:00 – 23:59 1 st Nov: Aquarium to Black Rock 06:00- 23.59	10,000
Sunday 15 th November	10K Road Race	Aquarium to Black Rock 06.00 – 14.00	5,000
Monday 21 st December	Burning the Clocks	Aquarium to base of Duke's Mound 15:00-21:00	20,000

THIS LIST IS SUBJECT TO CHANGE

Architects of Air featuring at Design Brighton 2nd-5th April 2020

BHCC event proposal October 2019



DESIGN BRIGHTON

April 1st - 4th
2020

A local group of development industry creatives have designed the DB festival to capture the unique spirit of Brighton & Hove, the festival will feature Talks@DB, debate, installations, tours, professional and maker showcases in an imaginative network of venues throughout Brighton and Hove's main districts; designed to generate enthusiastic and engaged dialogue focused on the City's heritage, present problems and opportunities and future vision.

We have seven design districts, each focused on a specific topic for the Talks@DB and a focus for the installations, design trails and tours. Through specially curated events the Design Brighton team have focused on key issues surrounding the future of the region and urban communities in general.

These include the role of Placemaking, Future High Streets, Public Realm Infrastructure, Circular Economic and Waste issues, New Construction Methods, Energy Options, Connectivity and how digital disruption is changing the way we experience our place.

Everything that concerns how we live, work and play, now and into the future.



Architects of Air

Alan Parkinson - Founder and designer of AoA

"I design luminaria because I want to share my sense of wonder at the phenomenon of light. A luminarium provides the frame for an encounter with a light whose surprising and simple intensity cuts through conditioned perception."

Founder, designer and artistic director Alan first started experimenting with pneumatic sculptures in the 1980s and has since developed his own language of form in this plastic medium. In 1992 he established the company to build and tour his luminarium designs. Since, Architects of Air, a Nottingham based company has made over 500 exhibitions in more than 40 countries.

April 2nd - 5th 2020

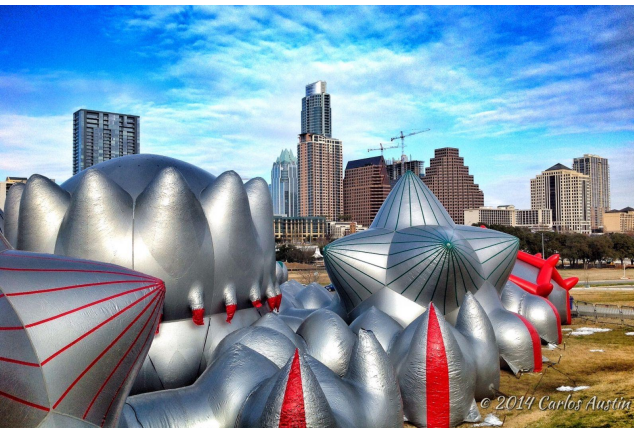


The Experience

The luminarium's pneumatic environment, in its organic purity, provides a utopian vessel to contain light's radiant brilliance and subtle hues. Through labyrinthine tunnels and cavernous domes visitors move in a medium of saturated colour, in a world apart from the normal and everyday, accompanied by a gentle sensory soundscape.

It is a paradox that such a stimulating environment can also be so calming, comforting and many people find the luminarium a place for rest or contemplation.

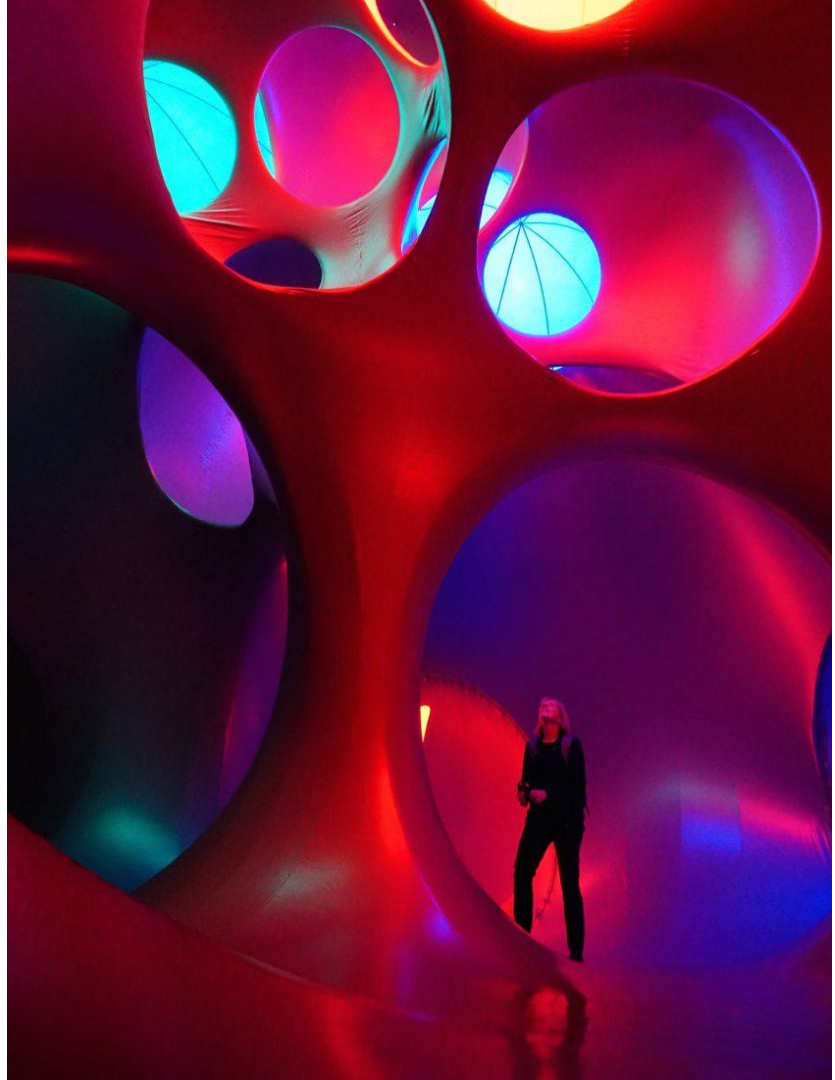
No two visits to a structure are alike as the atmosphere inside alters according to changing weather and light outside. How the visitor responds to the luminarium modifies the experience for other visitors - each visitor becomes part of a living, inhabited sculpture that is the luminarium experience.



Exterior

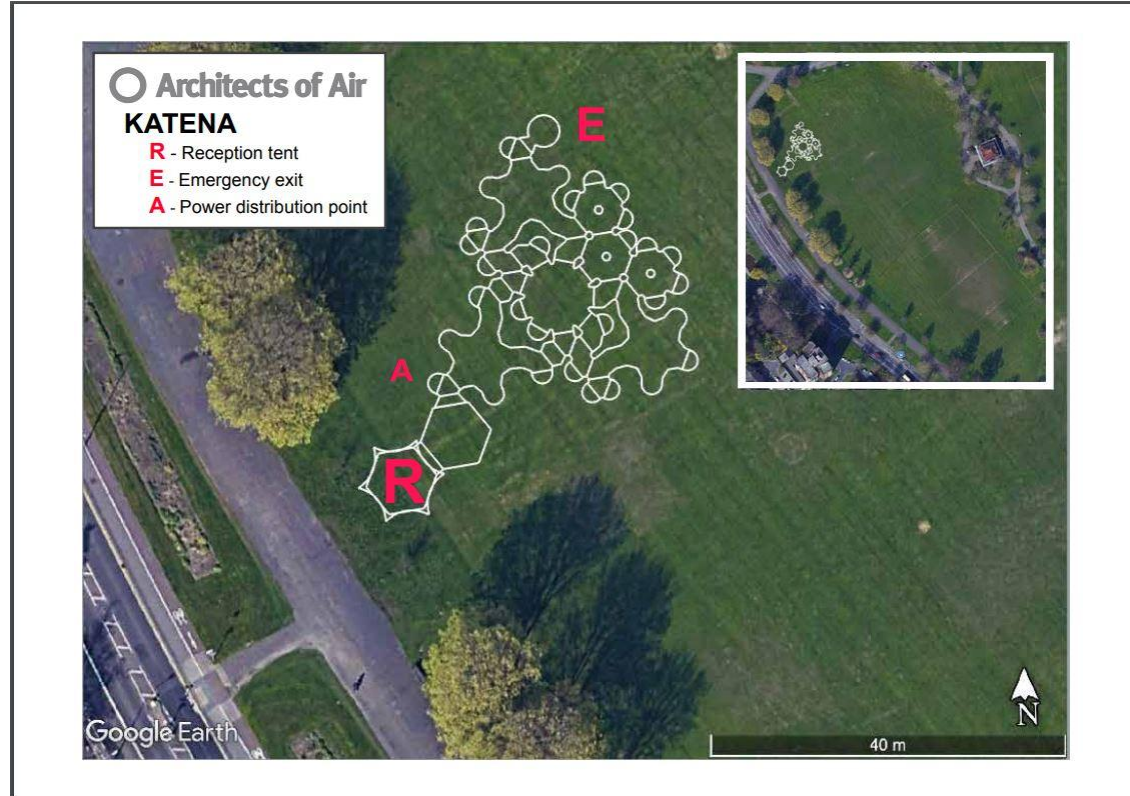


Interior



Introducing KATENA

KATENA is an inflatable PVC structure 42.50m long, 36.40m wide and rises to 10m at its highest. The structure is formed out of domes, tunnels and pods all connected to each other. To keep the pressure inside the main body the entrance is an airlock connected to the main body with a zip. A reception tent is set up adjacent to the airlock. The reception tent is an open-sided structure. An emergency 'mini' airlock is also connected to the main body with a zip. The airlock, the reception tent and the emergency airlock that comprise the entrance and exit structures are supported by a high-pressure exo-skeletons that are design to stay inflated in the event of power failure. The keep the whole structure constantly inflated blowers are positioned all around the structure, including the airlock, reception tent and the emergency airlock. The main body, the airlock, the reception tent and the emergency airlock are either pinned or ballasted to the ground.



An aerial photograph of Preston Park, showing a large green lawn, a baseball field in the upper right, and a winding path on the right side. The image is slightly faded to allow text to be overlaid.

The Location

Preston Park : Connectivity

Design Brighton proposes to locate KATENA in Preston Park, our Design District for Connectivity.

During the festival we will be using Brighton & Hove as a living case study of the challenges facing cities everywhere and seek to inspire all stakeholders to forge new paths to the future. A luminarium offers a variety of ways to engage the attention and enthusiasm of the audience and can be used during or after a visit as inspiration to explore a number of themes in Science, Art, Design, and Technology.

Thursday 2nd April to Sunday 5th April

Open to the public: 10am-4pm

Tourism and Media Coverage

The luminaria is very photogenic and offers exceptional promotional potential. They are successful in attracting good media coverage. It is not unusual to have a front-page photo on a national daily. TV news reportage is common as well as occasional live broadcasts. Web coverage is now enormous with some agency photos of luminaria achieving incredible worldwide profile for the host event.

75

Brighton has hosted three previous luminaires for Architects of Air via Brighton Festival, The Zap Club and Brighton Shed.

Design Brighton as the presenter will be charging an entrance fee, this is expected to be approx: £5 with concessions for advance, bulk orders, students and elderly.

Health and Safety

Architects of Air have built and toured the luminaria's since 1992. They have welcomed over 3 million visitors at over 500 exhibitions in over 41 countries. In all that time Architects of Air have maintained a 100% safety record with no incidents of personal injury or claims on the Architects of Air public liability insurance.

The luminarium invites visitors to enter. The visitors will remove their shoes before entering. An introductory speech tells visitors it is forbidden to run and to bounce and slide on the walls. It is forbidden to smoke eat or drink Inside (except for water). Once inside the visitors can wander freely, sit or lie down. It is a place of relaxation and contemplation. The capacity is set at 80 persons for luminaria of ground areas 750 – 1200m². This occupancy level is considerably below the maximum allowable by conventional calculations. The determining factors of this capacity are the time taken to evacuate all the visitors (which does not exceed 5 minutes) and the avenues by which the visitors are evacuated.

Continuous security (normally 2 persons) to be provided at all times when the luminarium is on site but not in use. Normally the luminarium will be left out deflated overnight but Architects of Air reserve the right in their absolute discretion to carry out a more substantial takedown at any time if the Luminarium Manager has any concerns about security. Full Safety Manual - Appendix A

Zero Waste Ambition

Design Brighton works closely with Eco Artist, Kate Amery. We are in talks with her on how we can utilise waste PVC products from AoA to creating sculptures around the City to act as a city wide trail that signposts to the installation. The art work is then donated to local schools after the event ensuring a 2nd and 3rd life for our waste.

Design Brighton has a zero waste ambition and this filters into all our installations and events throughout the year. The Seafront is our Circular Design District where we will be working with Circular Brighton and Hove to spread awareness of Circular Economy within construction and design.



Itinerary & Delivery

On Site Senior Luminarium Manager: Gabriel Burden (Production Manager for Pride)

Tuesday 31 March 2020

- 2 Luminarium Managers arrive from Europe

Wednesday 1 April 2020

- 08.00 Structure delivered / Get-in crew call (8 crew)
- 15.00 Safety Inspection
- 16.00 Stewards training
- 17.00 Press Call – preview
- 18.00 Luminarium deflated/crew finish/ security on-duty

Thursday 2 to Sunday 5 April

- 09.00 Steward call (9/10/11 persons)
- 10.00 Open to public
- 16.00 Last admission / security on duty
- 16.20 Luminarium closes
- 16.30 Stewards finish/ Deflation

Monday 6 April 2020

- 08.00 crew call/ get-out (6 or 8 persons)
- 15.00 (approx) collection by freight company 2 Luminarium Managers depart

DESIGN BRIGHTON

Architects of Air

For more information:

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About The Young Idea

The Jam Exhibition
Brighton



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About The Young Idea

- At its heart this exhibition will feature a vast collection of memorabilia, fashion, vinyl and imagery from one of the most iconic UK bands of all time – The Jam
- Previously exhibited in London's Somerset House (70,000 visitors) and Liverpool's Cunard Building (30,000), we now wish to bring it to Brighton
- Working alongside Paul Weller's sister Nicky and The Jam superfan Den Davis AGMP will add entire new dimensions to the exhibition to make it the biggest yet with a forecast 50,000 visitors



AGMP - Background

- Adrian Gibson set up AGMP 10 years ago after having run London's Jazz Café and curated Festivals for its owners the Mean Fiddler for almost 20 years
- With personal relationships with all 3 original members of The Jam and having booked concerts for every single Mod Revival Band over the last 30 years there is no better organisation to build and develop this exhibition and bring it to Brighton
- Exhibition and Event-organiser Joe Pidgeon staged annual Best of Britannia exhibitions in London, Bristol and Lancashire from 2012-2017 and joined AGMP in 2018



The Exhibition

- Fashion, Memorabilia, Vinyl, Tickets, Posters, Nostalgia,
- Plus; Scooter Displays, Film, Music, Food, Drink and Entertainment
- Brighton is the spiritual home of The Mod – where better to host such an event



The Location – Brighton

The Location

- Working with Brighton-based specialists, Security & Event Solutions, temporary structures will be erected to provide 20,000 square feet of floor-space in which to house the Exhibition
- A full site build design will be submitted for approval once initial "in principle and subject to planning" event permission has been granted by the authorities
- In addition to the Exhibition Space, again working with Sussex-based organisations, a destinational food, drink and acoustic performance space will form an essential part of the ***About The Young Idea*** event offering.



Going Overground

- Our vision is for the Exhibition “Entrance” to be at the Volks Railway Station by the Pier and to approach Volks Railway with a view to sponsoring and liverying the railway stations and trains for the duration of the exhibition
- On the Site itself the Exhibition will be housed inside hired-in structures with exteriors dressed according to the theme and period (Original 1960’s Mod Era & the Mod Revival of late 70’s)



Brighton is the Spiritual Home of the Mod
With over 15,000 Mods visiting Brighton every year
there is no better location in the world to stage this
exhibition

- AGMP has an email database of 20,000 UK Mod music-fans
- Our recent two-day Mods Mayday event in London sold out over 2,000 tickets
- Our annual From The Jam Tours sell over 30,000 tickets



Alliances

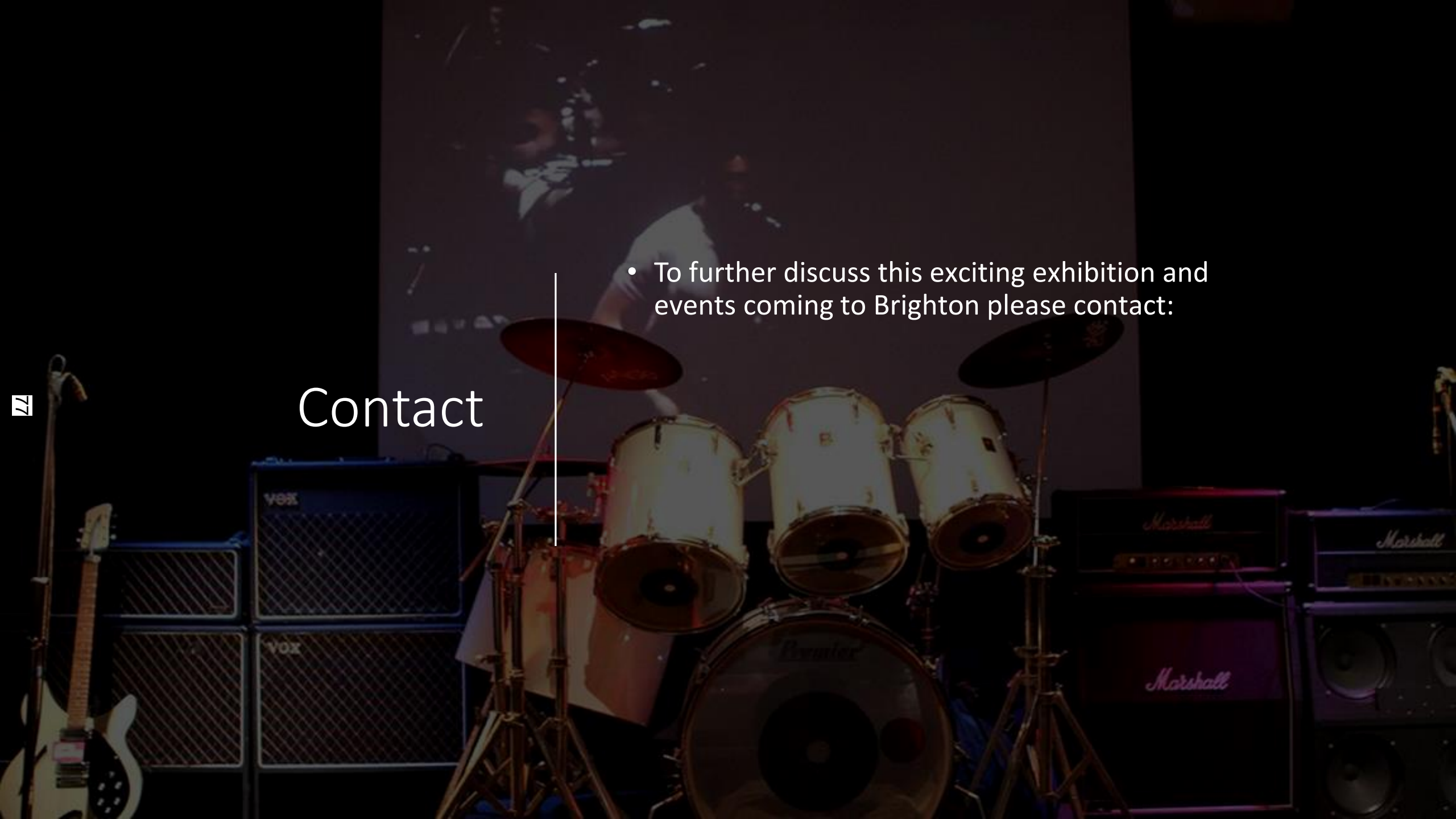
- AGMP wish to work in partnership with Brighton Council to stage this exhibition in Brighton in 2020
- An exhibition, classic Scooter display, food and drink terrace overlooking the sea and the capability of staging intimate acoustic performances from iconic Mod Revival bands will be combined with larger performances during the exhibition period in Brighton concert-venues
- ***About the Young Idea*** comes to Brighton bringing an international visitor audience with it which we hope will generate a considerable contribution to the local economy

Event Timings

- The Exhibition will be open from 10am – 8pm 7 days a week
- Visitors will be able to book a 2 hour slot in which to visit the exhibition commencing at 10am with the ticket being flexible for entry at any time subject to capacity
- Proposed capacity of the venue at any one time is proposed at a maximum of 1500 and the site as a whole at 2000
- It is proposed that the bar area and Acoustic performance marquee have extended opening hours to 11pm Thursday – Saturday and 10pm on Sunday
- Site Footprint Diagram is attached separately

Contact

- To further discuss this exciting exhibition and events coming to Brighton please contact:



Festival TREK BRIGHTON 2020





Festival TREK Brighton

1. General information
2. Project plan



General information

Data

Event name	Festival TREK - Brighton
Name organization	Four Entertainment BV
Chamber of Commerce	62682288
VAT number	8549.15.862
Address	Wittevrouwensingel 101
Postal code	3514 AM
Place	Utrecht
Phone number	+31-30-231 29 79
Contact person	Harrison Hall
Phone number	07702668489
E-mail address	harrison@four-entertainment.nl

Festival TREK – the Brighton edition

Proposed location	Hove Park -at the height of the soccer fields	
Proposed dates	14 – 16 August 2020	
Park Cost	£6,000.00	
Site setup	12 August 2020:	08.00 – 20.00h
	13 August 2020:	08.00 – 20.00h
Event	14 August 2020:	16:00 – 22.30h
	15 August 2020:	14:00 – 22.30h
	16 August 2020:	14.00 – 21.30h
Site clean up	17 august 2020:	08.00 – 17.00h

No. of visitors anticipated per day:	4-5000
No. of visitors at the event at same time:	max. 3500

As much as possible use of local/regional parties concerning communication, security, first aid and other facilities.



Organization

The concept and organization of Festival TREK is in the hands of FOUR Entertainment. FOUR Entertainment is an event agency with years of experience in the industry. The organization is responsible for, among a lot of productions in Amsterdam, the production of the International Fireworks Festival Scheveningen and various events of RTL Netherlands. As a producer of large-scale public events, FOUR Entertainment aims to guarantee quality in the areas of production, safety, traffic, public space and marketing.

FOUR Entertainment is a private company and the organization aims to create both production and conceptual high-profile events; possibly with support from media parties.

The organisation of TREK consists of Harrison Hall, Brecht van Breukelen, Michiel Marcelis, Emile Faulborn and Raymon van Sprang.

www.four-entertainment.nl



Project plan Festival TREK

Concept

Festival TREK is kind of village that settles down in the nicest city parks. During this event we transform a city park into a large and cozy open air restaurant with dozens of mobile kitchens, live music, theatre and acts.



Enjoyment and conviviality are central.

TREK is focused on food & culture and functions as a meeting place for young and old. The combination of gastronomy and culture ensures the optimal visitor experience. Tasting at the various food trucks and enjoying theatre, cabaret, art and music, in which we offer local artists a stage to present themselves.

Festival TREK is the largest traveling festival in the Netherlands, almost consecutively along the larger cities of the Netherlands from the beginning of May; the go-ahead will take place in Rotterdam with a large national media campaign.

TREK is constantly changing, current and surprising; interesting theatre programming, opportunities for local and regional talent, acts on the ground (all in cooperation with cultural institutions) and settings, such as the life-sized town hall of our Mayor, the mega-letters 'TREK' and a church where visitors can go to confession.



Target Audience

TREK appears to appeal to a very broad target group, partly due to its accessible nature, and can be seen as a family event, with a lot of children's entertainment. The average age of the adults is between 25 and 45 years.

Environment

The festival works with environmentally friendly hard plastic TREK glassware.

Regarding the power requirement, we use the technique to cluster the generators; they are connected to each other and store according to the power requirements.

We also use the GTL fuel for the aggregates; the liquid fuel, made from natural gas. That burns many times cleaner, emits less (not even the black smoke) and is virtually odourless compared to the offending diesel.

We collect our waste separately and use a (press) container.

All in all, the edition of Festival TREK-Brighton will be a surprising and interesting addition to your event calendar and the promotion of your city.

On behalf of FOUR Entertainment

Harrison Hall

SUMMARY OF KEY DATA FROM BRIGHTON & HOVE PRIDE 2019 ENVIRONMENTAL SUSTAINABILITY REPORT BY ZAP CONCEPTS



Prepared by: Tim Benson | ZAP Concepts

Date: 06/11/19

1. WASTE & RECYCLING

1.1 2019 Headline Waste Data, Preston Park:

- Total waste collected was 24.892T of which:
 - General waste accounted for 21.66T
 - DMR accounted for 2.22T
 - Glass accounted for 1.012T
 - Wood accounted for 0.645T
- Total weight of recycled materials was 3.88T (15.2% of total waste collected)
- **Overall waste reduction of 20.783T (44.87%) against 2018 figures**

1.2 Comparison of 2018 & 2019 Waste Stream Data

Waste Stream	2018 Data / Tonnes	2019 Data / Tonnes
Total waste collected (inc wood)	46.32	25.537
General waste	46.32	21.66
Dry mixed recycling	0	2.22
Glass	0	1.012
Wood	0	0.645

2. REUSABLE CUPS

2.1 2019 Headline Reusable Cup Data, Preston Park & Pleasure Gardens

- Cups made available: 208,892
- Cups missing, damaged or destroyed cups: 53,587, equivalent to 53.2% of total used
- **Total number of cups diverted from waste (either disposal or recovery) 47,095**
- **This is equivalent to circa 2T of plastic waste saved that would typically be attributable to SUPs**

3. POWER

3.1 2019 Headline Power Data, Preston Park

- All fuel supplied was UN 1202 diesel
- In 2019 the entire festival consumed 16,559L versus 16,856L the previous year, which is a saving of 297L
- Of the 16,559L burned in Preston Park, circa 825L was used to fuel site plant
- The greatest saving in 2019 was achieved in Preston Park: 5.9%

3.2 Fuel Consumption by Location

Location	2018 / Supplier	2019 / Supplier	Variance
Preston Park	15,687L / Powerline	14,773L / Powerline	914L saving
Pleasure Gardens & Box Offices	535L / SMART	1,150 / J Gunson & Penguin Media	615L increase
Waterhall Camping	594L / SMART	550 / SMART	44L saving
PVP	40L / SMART	66L / SMART	26L increase
Madeira Drive Parade	N/A	20L / SMART	

3.3 Emissions Associated with Diesel Burn in Preston Park

- Diesel supplied for generators & plant produced 38.85T of CO₂e emissions
- **This is equivalent to 0.24L of diesel per person per day; the industry average is 0.58L per person per day, meaning that the festival is better than the UK industry benchmark by 72.1%**

4. WATER

4.1 Headline Water Figures

- Total drawn from mains to provide drinking water was 3680L
- Water used for preparing jerry cans was 860L, which is equivalent to 23.4% of total water usage
- Unused water poured away at the end of event was 270L, which is equivalent to 9.6% of the volume allocated to drinking
- Water actually consumed was 2,820L
- **This is equivalent to reducing bottled water consumption by 5640 x 500ml bottles of water**

